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BAY AREA PERMIT DIRECTORY

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This Directory was jointly undertaken by the Association of Bay Area Governments and the Governor's Office of Planning and Research.

[CA.]

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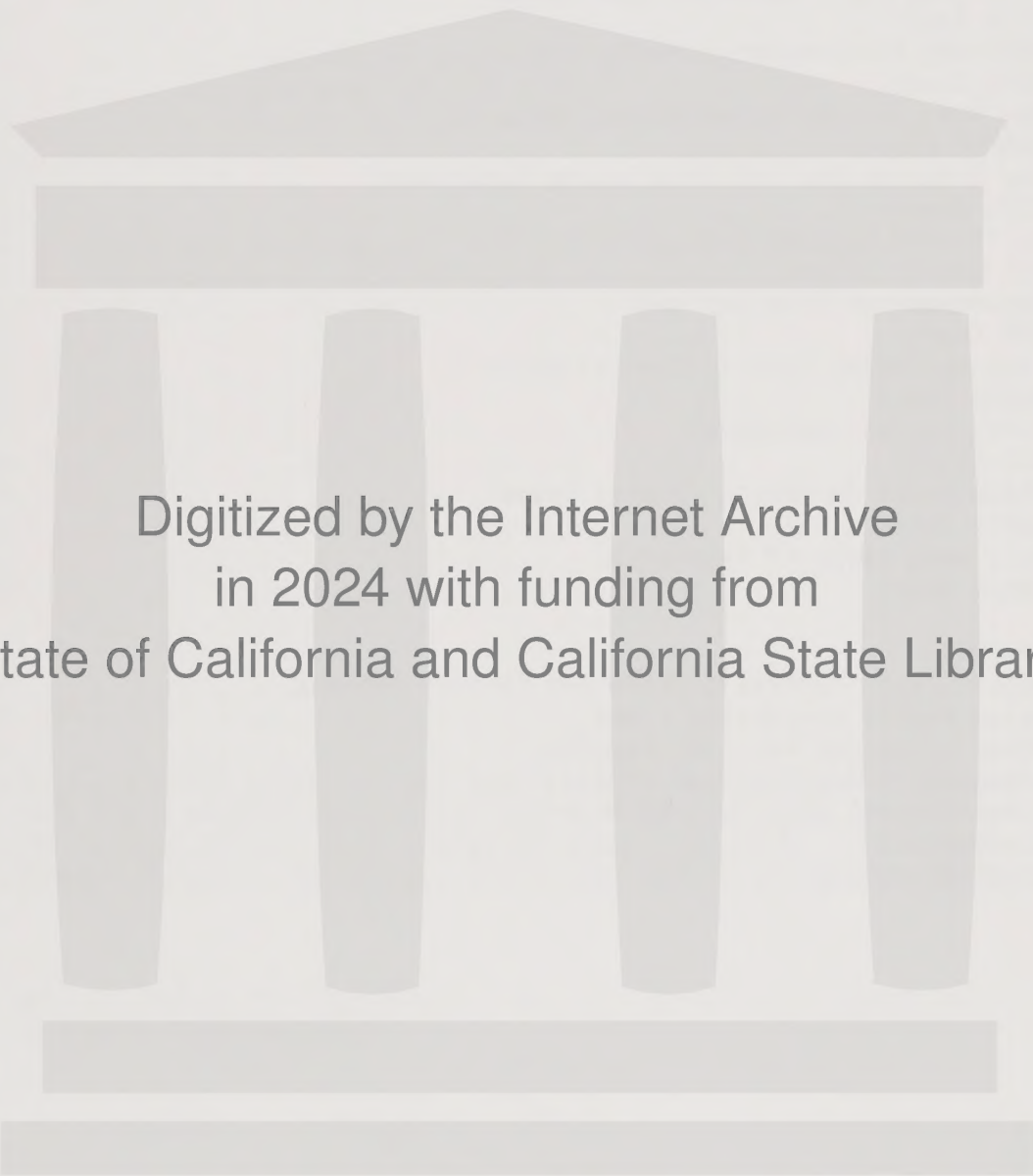
THE TASK FORCE EXPRESSES ITS APPRECIATION TO THOSE STAFF PERSONS FROM OTHER AGENCIES WHO ASSISTED WITH THIS DIRECTORY, ESPECIALLY JIM TALBOT, BAAPCD: ALAN PENDLETON, BCDC: BOB MAPES, DEPARTMENT OF FISH AND GAME: BOB ROCHE, RWQCB, AND MARTIN VAN ZANDT, SWRCB.

SPECIAL THANKS TO THOSE TYPISTS WHO PUT IN MANY LONG HOURS IN PREPARING THIS DIRECTORY.

November, 1977

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INTRODUCTION

This permit directory is one product of the Industrial Siting Task Force created in March 1977 to explore the problems of industrial siting in the San Francisco Bay Area. Emphasis was to be on the potential conflicts between environmental protection and economic development. The ISTF, a subcommittee of Association of Bay Area Governments' Executive Committee, was given the responsibility to conduct an Industrial Siting Pilot Project through a grant from the Governor's Office of Planning and Research.

The Task Force has determined that governmental processes themselves create significant hinderances to industrial development in the Bay Area. While an analysis of permit problems and recommendations for improvement are included in the Task Force's final report, this permit directory is the first step to improving the permit process. This directory centralizes much information about permit granting agencies and the steps they take to review and make a decision on a permit. Included are descriptions of the eight major permitting agencies involved with industrial development proposals, their responsibilities, jurisdiction, legal authority, criteria for decision-making, processing times, and steps in reviewing a permit. Also included are descriptions of the California Environmental Quality Act, National Environmental Policy Act and a general review of local agency permits. The appendix includes a list of other permits and licenses that may be needed from local, regional, state and federal agencies for specific kinds of industrial projects.

This permit directory is designed for use by persons who are unfamiliar with California's local and state laws, and development permit process. Its purpose is to give the industrial applicant a brief description on how the process and the agencies work. The agencies included in this directory have additional responsibilities in most cases, but their regulatory duties are the only ones described here. It is our hope you will find this directory helpful.

HOW THE PERMIT PROCESS WORKS

The first step in the permit process is to contact the city or county where the project will be located. Local agency staff can tell the applicant what local permits and reviews will be required for the proposal. Often they can inform the developer if a permit will be needed from the Coastal Commission, BCDC or the Corps of Engineers. Because few persons in any agency are aware of all the permits that may be required on a project, this directory may serve as a guide to determining at the very beginning of a project all permits that will be required (see appendix for listing of major permits).

Once the number and kind of permits is determined, it is very important for the applicant to contact each local, regional, State and Federal agency from whom a permit is needed to set up a pre-application meeting and obtain application forms. At this meeting, the applicant can outline the proposal to agency staff and they can discuss their concerns, if any, and their regulations and decision-making process. It may be more expedient to arrange one pre-application meeting with all the agencies from whom a permit is needed. The applicant would then have to present the project only once and each agency's staff could outline its concerns and hear the issues raised by other permit granting agencies. Some agency staff persons are willing to inform an applicant when, in their opinion, the project as proposed would have no way of meeting the approval criteria adopted by the board. This early warning to the applicant could save considerable expense. If permit denial is likely, the applicant could redesign or relocate the project to make it more acceptable to the permit granting agency.

After these pre-application meetings, the applicant can apply for each permit. Local agency approvals are usually sought first and in most cases are needed before regional or State agencies will make their permit decisions. However, an application for every necessary permit should be submitted to all local, regional, State and Federal agencies. Permit processing is time-consuming and concurrent processing of all permits will considerably shorten the overall time needed for this step in project development.

Under a new law effective January 1, 1978, the lead agency or the public agency with the principal responsibility for carrying out or approving a project, must approve or disapprove all permits for a project within one year of receiving a completed application. The other agencies with permit responsibilities must make their decisions within six months of the lead agency decision or within six months of receiving a completed application, whichever is longer. These time deadlines are maximum limits, however each agency is encouraged to make its decision in as short a time as possible. Provisions are made for deadline extension if necessary through consent of the applicant and the agency staff. Some agencies have decision deadlines shorter than those specified in this new law. These deadlines provide some assurance to the project applicant that all local, regional and State permits will probably be decided within 18 months. This does not include nor apply to Federal regulatory permits, however.

Another provision in this law requires each State agency to compile lists specifying in detail the information required from any applicant for a development project. Copies will be made available to the applicant and these lists must include the criteria an agency applies in order to determine the completeness of any application. These lists must be current and accurate at all times.

Once the agency has received a project application, staff has 30 calendar days to determine its completeness. The staff must immediately transmit this decision to the applicant, specify those incomplete parts of the application and provide directions on how to complete them. The agency cannot ask for information which was not specified on the list or required as part of the application. But it can ask for clarification, amplification or correction of data already submitted.

An environmental evaluation will be made early in the permit process. The lead agency (see section on CEQA), often the local agency, will evaluate the project to determine whether it is exempt from the requirements of the California Environmental Quality Act. If not, a determination will be made as to whether an environmental impact report (EIR) must be prepared. The applicant will usually be required to complete an environmental questionnaire or submit environmental information. When a permit is needed from a Federal agency, a Federal environmental evaluation will also be necessary (see section on NEPA). Often a joint document can be prepared if the applicant finds out early in the process whether both a Federal and State EIR/EIS will be necessary. Waiting until all other approvals are secured, especially when a Federal environmental impact statement may be required, can add an additional year or 18 months to the permit process.

Included in this directory are descriptions of eight major environmental regulatory agencies, an overview of local agency permits, and outlines of the California Environmental Quality Act and the National Environmental Policy Act. Each of these descriptions include a flow chart outlining the processing steps the project application undergoes. These flow charts show the various public policies, public hearings and analyses that usually must occur before a permit decision can be made.

For a major development proposal that would require several regional or State regulatory permits, a consolidated public hearing could be held. The Governor's Office of Planning and Research (OPR) has the responsibility for coordinating an informational public hearing for a major project. Either the applicant or the involved agencies could request this consolidated public hearing to expedite the hearing process.

The applicant must insure that each application is moving through each agency's permit process. Any requests for additional information, public hearing notices and notice of decision will be directed to the applicant. Any problems with processing must be worked out between the applicant and agency staff.

As noted earlier, local permit decisions are usually required before regional and State agencies will make permit decisions. Additionally, State permit decisions will be made before Federal permit decisions. Although permit decisions occur sequentially, all agencies are usually willing to process permit applications concurrently. This will substantially decrease the length of time necessary for permit processing.

LOCAL AGENCY PERMITS

Every applicant seeking to develop a project on land within the jurisdiction of a city or county must obtain a variety of permits prior to construction of the project. General plan amendments, rezonings, annexation, environmental evaluation, subdivision review, use permits and variances are just a few of the local reviews that may be necessary for approval of a proposed industry. Every one of these reviews is not required for every project. Each local agency may have additional reviews that are not discussed here. This is a general discussion of local agency processes.

The attached flow chart graphically illustrates this local process. Although the chart shows sequential review, this need not occur. General plan amendments, rezonings and LAFCO annexation applications may all be processed simultaneously in some jurisdictions. The same is true for subdivision review, and use permits. The environmental review of a project would occur prior to the first decision a local agency would make (see section on CEQA). For example, if a general plan amendment were required, environmental evaluation and preparation of an EIR, if necessary, would be completed before a decision on the general plan amendment could be made.

General Plan Amendment

Each city and county in California is required by State law to adopt a long term general plan for the physical development of any land within its jurisdiction and land outside but related to its present jurisdiction boundaries. There are eight elements mandated for inclusion in the plan including land use, circulation, housing, conservation, open space, seismic safety, noise and scenic highway elements. The land use element designates proposed location and extent of uses for housing, business, industry, and open space. It includes statements on the allowed density of population and intensity of building development.

State law and local ordinances specify procedures for the adoption and amendment of the general plan. These procedures include a review by staff, public notice and hearing, recommendation by the planning commission (five to nine persons appointed by the decision making body to advise them on planning matters) and decisions by the city council or board of supervisors.

Zoning Change

Local agencies are also given the maximum degree of control over local zoning matters. Zoning regulations specify in detail the use of building structures and land. They may designate the location, height, bulk, number of stories, and size of buildings, the size and use of lots and the setback of buildings on lots.

Every agency adopts specific procedures for adopting zoning regulations and considering rezoning or changes in the regulations.

For most local agencies, the local zoning ordinance is required to be consistent with the general plan. The zoning ordinance further delineates the uses outlined in the general plan.

If a proposed project does not conform to the proposed use of the land as outlined in the general plan and zoning ordinance, then specific procedures must be taken to amend the general plan and rezone. The level of project review and the amount of time required for processing these changes varies from agency to agency.

Annexation

If the project is currently within the jurisdiction of the county, it may need sewer, water or fire service from a city or special district. If so, an application for annexation (or detachment, or formation) to a city or special district must be filed with the Local Agency Formation Commission (LAFCO).

A LAFCO is an independent commission created by the State legislature in 1963 in response to "urban sprawl" and "leap frog development" problems. The commission regulates all annexations, detachments and formations of cities and in some cases, special districts. A LAFCO is located in every county of the State and consists of two members of the County Board of Supervisors, two city councilpersons and one public member. A few LAFCO's have elected to give special districts representation on the commission. In these cases two special district representatives sit as members, and the entire commission then regulates special district boundary decisions.

Generally an application that is submitted to LAFCO is required to include an environmental evaluation of the project (an EIR, negative declaration or exemption) and an indication from the annexing agency that it can or will serve the project. A city can "prezone" the property showing proposed zoning while a "will serve" letter from the special district shows that it will provide the requested services.

In addition to its regulatory responsibilities, LAFCO's have been given the responsibility to plan the ultimate physical boundary of cities and special districts. This sphere of influence delineating each agency's future boundary will be an important consideration in approving or denying an application for annexation. Staff further reviews the application to verify need for services and insures the most logical agency will provide the service.

For a non-controversial boundary change application, processing will take at least one month depending on coordination with commission meeting dates. Projects that involve major controversy and require public hearings could take from six months to a year to process. Although the commission must hear an application within 70 days of filing an application, the hearing can be continued for up to another 70 days. The commission then must make a decision within 35 days of the close of the hearing. Official filing of the application can be delayed, however, until all necessary information has been submitted.

Subdivision Review - Planned Development - Use Permits - Variances

There are a variety of other local agency permits that may need securing after general plan amendments, rezones and annexation are approved.

Subdivision Review - The State Subdivision Map Act confers on cities and counties the power to regulate subdivisions. A subdivision is defined as the division of any improved or unimproved land for the purpose of sale, lease or financing in the near future. Local agencies are required to adopt procedures to regulate subdivision review and the approval of tentative and final subdivision maps. Before individual parcels of newly subdivided land may be sold, the California Department of Real Estate must authorize a "Final Public Report". State review, in this case, may occur concurrently with local subdivision review. However, a Final Subdivision Map must be approved and filed by the local jurisdiction before the Final Public Report is authorized for release.

If a proposed industrial project must undergo subdivision review, it generally signifies an analysis for conformance to proper grading and erosion control, rights of way and easements for public utilities, street alignments, grade and widths, traffic access, lot size and fire equipment access.

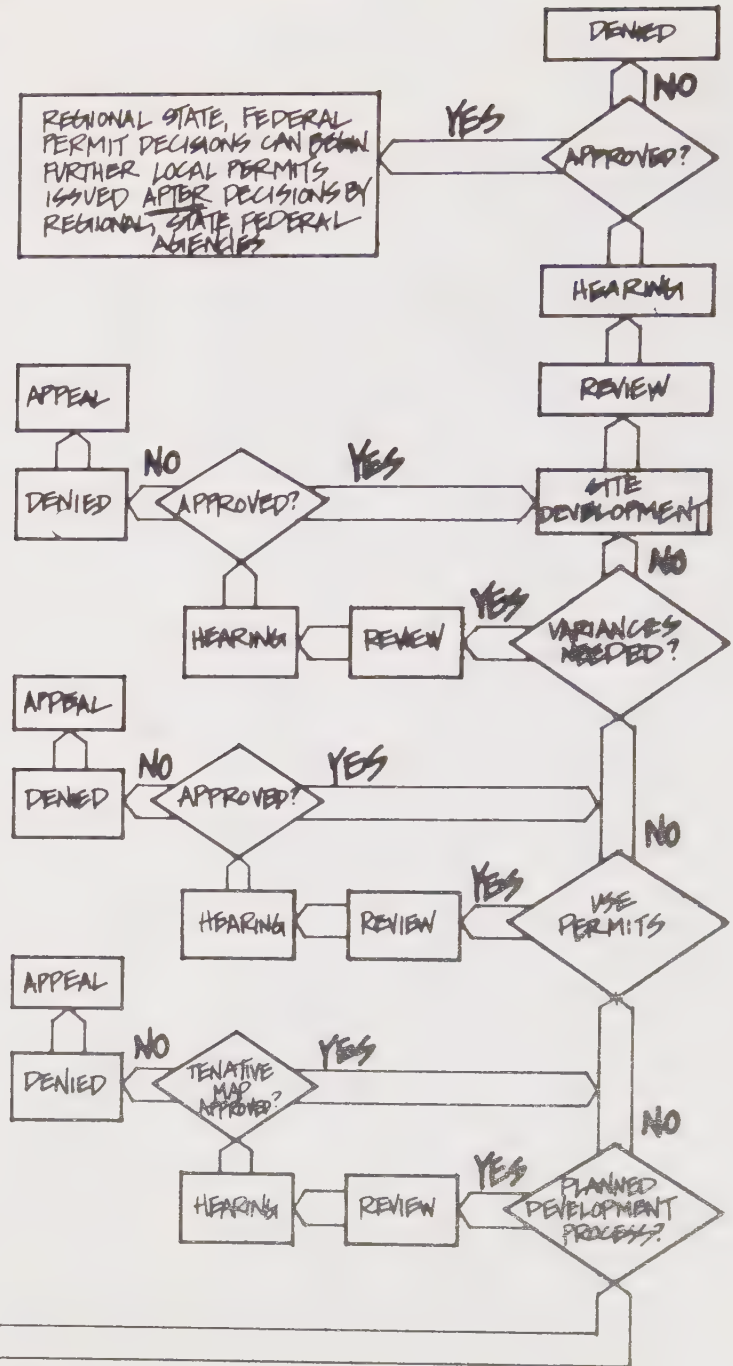
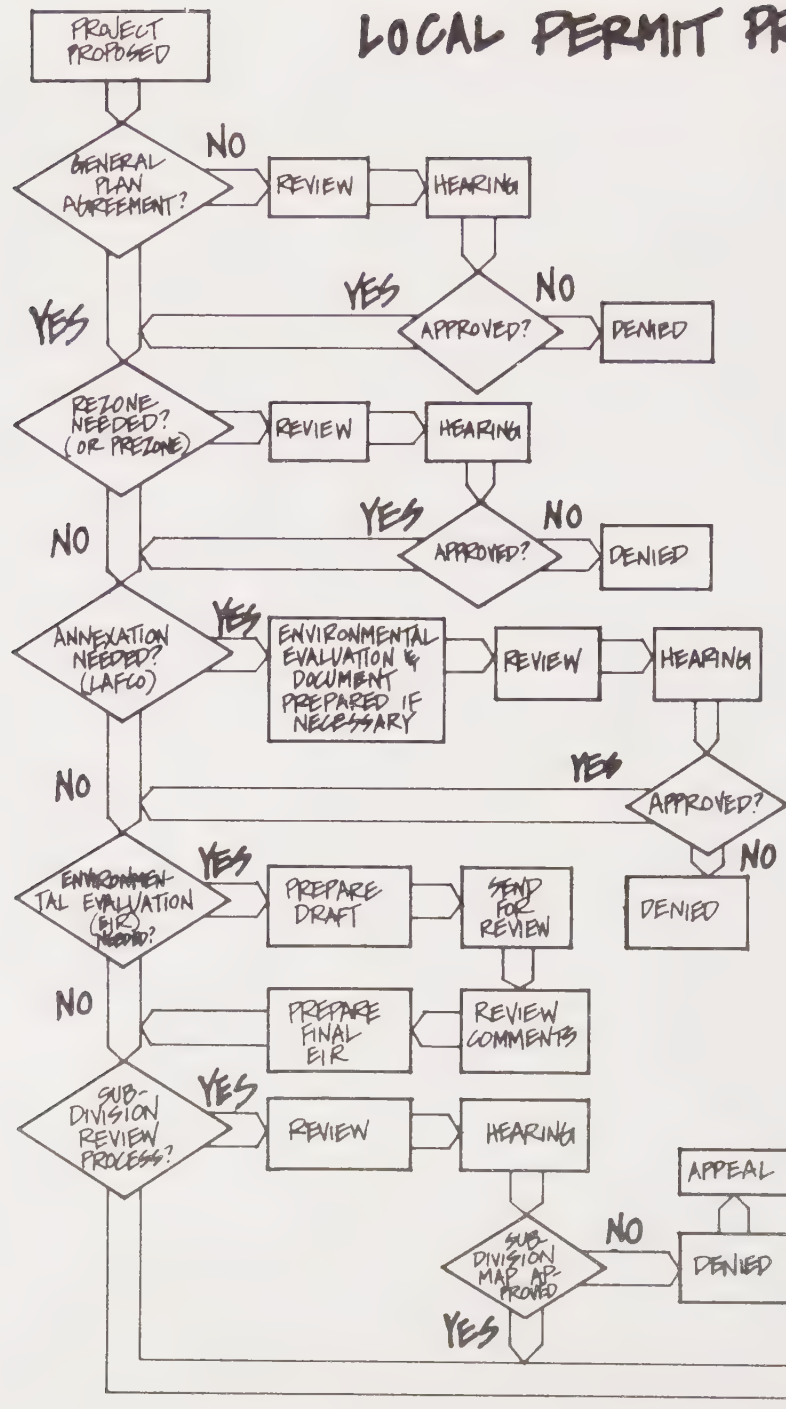
During the plan formulation process the applicant may suggest, or local ordinances may require, that special use permits be obtained. This permit would allow certain kinds of uses of the land by the applicant that normally would not be allowed. Permission for these uses are usually granted by the Planning Commission, City Council or Board of Supervisors.

Another kind of special permit that might be needed is a variance. This is an application to modify a zoning regulation such as a reduction in building setback regulations or change in building location. A variance is granted because of special circumstances that may deny for the applicant privileges commonly enjoyed by others in the same vicinity or zone.

After submitting application forms, filing fees and maps the project is reviewed by local agency staff. Often hearings are held to allow for public comment on the project, especially if it is controversial. Initial decisions on these local permits are often made by Planning Commissions. Subdivision review results in approval or denial of tentative and final subdivision maps. Permits for special use and variances can be approved or denied. In many cases, final decisions are made by the City Council or Board of Supervisors. If a local permit is denied, usually the only recourse is to reapply with modifications of the plan or appeal to the City Council/Board of Supervisors.

There are a variety of other permits and licenses that will be required from the local agency before construction can begin and before completion of the project. However, at this point, after local approvals have been given for all the above reviews, regional, State and Federal agencies are willing to continue the processing and begin decision-making on their permit applications for this same project.

LOCAL PERMIT PROCESS



EVERY PROJECT MAY NOT HAVE TO GO THROUGH EACH OF THESE STEPS. AN ENVIRONMENTAL REVIEW WOULD BE REQUIRED AT THE VERY FIRST STEP IN ANY LOCAL APPROVAL PROCESS. THESE ACTIONS DO NOT NECESSARILY HAPPEN SEQUENTIALLY. ANNEXATION, & GENERAL PLAN AMENDMENTS COULD BE PROCESSED SIMULTANEOUSLY AS COULD SUBDIVISION REVIEW, PLANNED DEVELOPMENT AND USE PERMITS.

REGIONAL, STATE, AND FEDERAL PERMIT PROCESS

The regional, State and Federal permit process should be begun as early in the project as possible. Informal pre-application meetings should be set up with each agency's staff as soon as a need for a permit from that agency is determined. Processing of applications for these permits should occur concurrently with processing of local permits.

Following is a description of eight major regional, State and Federal permit granting agencies. Their permit responsibilities, jurisdiction, legal authority and criteria for making permit decisions are briefly outlined. The actual agency review of an application is presented in narrative and graphic form.

A description of the California Environmental Quality Act and the Environmental Policy Act and their applications to industrial projects are also included.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The California Environmental Quality Act (CEQA) enacted in 1970 declares that the preservation of environmental quality is an important statewide policy. The purpose of this legislation is to insure that by establishing a process of environmental evaluation, the potential environmental effects of development projects are considered before project approval.

An environmental evaluation (Initial Study) is required of all non-exempt public and private development projects that may have a significant adverse effect on the environment. If the initial study indicates possible significant adverse effects on the environment, then an environmental impact report (EIR) will need to be prepared. If no significant adverse effects are likely, or if they can be mitigated, then a negative declaration may be issued. In the latter case a conditional negative declaration containing mandatory mitigation measures would be issued. There are some projects that may be exempt from provisions of the law and inquiry should be directed to the evaluating agency.

The environmental evaluation or initial study will normally be prepared by the lead agency, i.e., the city, county, or other public agency that will issue the first approval on or will carry out a project. The applicant will be asked to submit certain environmental information about the project site. If an EIR will be prepared the local agency will contract with a consultant to prepare a draft, or may prepare the draft itself. Often the applicant is asked to pay for the cost of EIR preparation.

Since the enactment of CEQA, the Office of Planning and Research has issued administrative guidelines to implement its provisions. OPR staff has prepared a user's handbook to clarify the type of projects requiring environmental evaluation and the procedures this evaluation follows. Each local agency will be able to answer most questions a developer would have regarding CEQA. The following is a more detailed explanation of the environmental review process. Attached is a graph illustrating the processing steps of environmental review.

Projects Subject to CEQA

CEQA and the implementing guidelines set forth those types of projects for which an environmental analysis is required. These include:

- 1) Activities directly carried out by public agencies such as public works projects;
- 2) Activities undertaken by private persons which are supported by public financial assistance, and
- 3) Activities involving the issuance of permits, licenses or leases to private persons by public agencies

The third type of project would encompass most private development unless a specific exemption applied.

Certain types of activities are excluded from the provisions of CEQA. These include emergency projects, certain ministerial projects and a class of projects defined in the law as "categorically exempt." In some instances, the plan of a regulatory agency may be submitted in lieu of an environmental impact report. This plan must contain essentially similar information that an EIR contains including description of the proposed activity with alternatives and mitigation measures to minimize any significant adverse environmental impact. This plan may only be substituted for the EIR if the program of the regulatory agency has been certified by the Secretary of the Resource Agency. To qualify for certification, a regulatory program shall require utilization of an interdisciplinary approach to ensure the integrated use of the natural and sciences in decision-making and meet certain other specific criteria. Staff of each agency will be able to tell the applicant if the agency is certified under this provision.

Lead Agency

The public agency which has the principle responsibility for carrying out or approving the project is known as the lead agency. It is the lead agency that is responsible for the environmental analysis, and for determining whether an EIR or negative declaration shall be required. Since many proposed private projects require approval from a local government, it is often the local planning agency that assumes the role of lead agency. Upon request of the applicant, OPR will designate the lead agency within 21 days if it is unclear who the lead agency should be.

A responsible agency means a public agency which proposes to undertake or approve a project but is not the lead agency. It includes all public agencies other than the lead agency which have approval power over the project.

Once the lead agency determines that a particular proposed project is subject to CEQA, it must undertake an initial environmental study. This study includes a review of the project description, environmental setting, possible impacts, ways to mitigate these impacts, and compatibility of the project with local zoning and the general plan. In the case of a privately sponsored project for which a lease, license or permit is required, the project sponsor is responsible for submitting certain environmental information form produced by the agency.

Prior to determining whether an EIR or negative declaration will be required, the lead agency must consult with all responsible agencies. The lead agency may be assisted by OPR in determining who the responsible agencies are. The lead agency must make a determination whether an EIR or negative declaration will be required within 45 days from receipt of a completed application form.

At the conclusion of the initial environmental study, the lead agency makes a determination whether the proposed project is likely to have a significant adverse effect on the environment. If the agency determines that no significant adverse environmental effects are likely to occur,

or if all effects can be mitigated, and there is a commitment to do so, it issues a Negative Declaration describing the reasons that the proposed project will not have a significant adverse effect on the environment and will not require an EIR. If, however, as a result of the initial study, the agency determines that the proposed project may have an unmitigated significant adverse effect on the environment, an EIR must be prepared.

Once the lead agency has determined whether an EIR or negative declaration will be required, the decision is final and conclusive on all responsible agencies. Should a person or agency disagree with the lead agency decision, provisions are made within CEQA for challenging the decision in court proceedings.

Environmental Impact Report (EIR)

An environmental impact report is a detailed information document which describes significant adverse effects of a project on the environment, identifies alternatives to the project, and indicates how any significant adverse effects could be mitigated or avoided.

The first step in preparing an EIR is to send a notice that an EIR is needed to each responsible agency. The responsible agency shall then specify the scope and content of environmental information that is germane to its statutory responsibilities and that should be included in the EIR. This information must be returned to the lead agency within 45 days. In addition, the lead agency may request one or more meetings between all agencies to assist in determining the scope and content of the EIR.

The next step is preparation of the draft report (DEIR). Such reports are either conducted by the staff of the public agency or by a private contractor under contract with the agency. The fee for the preparation of the DEIR is usually collected from the applicant, in the case of a privately sponsored project. The DEIR must be prepared in accordance with CEQA, and its implementing guidelines specifying the required contents of an EIR.

In order to be legally sufficient, an Environmental Impact Report must include the following:

- 1) a description of the project;
- 2) a description of the environmental setting;
- 3) an explanation of the significant environmental impacts on the project;
- 4) a description of any significant effects that cannot be avoided;
- 5) an explanation of proposed measures that would mitigate the significant environmental effects;

- 6) a description of alternatives to the proposed project;
- 7) an explanation of the relationship between local, short-term use of the environment and maintenance and enhancement of long-term productivity;
- 8) a discussion of any irreversible changes to the environment as a result of the project; and
- 9) a discussion of the growth-inducing impact of the project.

Once a DEIR has been prepared it is circulated among various governmental agencies that are responsible for some aspect of the project and made available for public comment.

Operation of the State Clearinghouse

For projects in which state agencies are involved, copies of the draft report are sent to the State Clearinghouse for distribution to interested state agencies. The State Clearinghouse is an agency which is part of the Governor's Office of Planning and Research (OPR). The Clearinghouse has one primary objective: to manage state environmental and grant reviews.

When EIRs or Negative Declarations are reviewed by State agencies, the EIR's and State's comments are processed through the Clearinghouse. Under State EIR guidelines, an agency must send its environmental documents through the Clearinghouse whenever a State agency is a lead agency, when a State agency has permit power over the project, when a State agency provides funding for the project or when a State agency would have any other kind of legal control over the project. A local project with no State involvement may be reviewed only at the local level. However, it may request review of the environmental document through the Clearinghouse.

When an environmental document on a project is first received by the Clearinghouse, it is assigned a number. The Clearinghouse then distributes copies of the EIR to an average of 15 agencies. The agencies review the EIR and return the comments to the Clearinghouse. The Clearinghouse sends the comments on the EIR to the lead agency at the end of the review period. This process takes a minimum of 30 days and usually 45-55 days.

Public review and response is encouraged as part of the environmental review process. If significant public controversy is involved, the public agency may hold a public hearing to discuss the contents of the DEIR. Comments submitted become a part of the final EIR. In addition to comments at the public hearing, the final EIR includes a list of persons, organizations, and agencies commenting on the draft, their comments and recommendations and responses of the lead agency to significant environmental points raised in the review and consultation process.

Each decision-making body, including both the lead and responsible agencies, then review, approve and certify this final EIR. Certification of the EIR clears the way for agency action on the proposed project.

Recent legislation limits the decision-making responsibilities of some regulatory agencies. Lead agencies have the responsibility for considering both individual and collective effects of all environmental, economic, and social activities on a project. Now responsible agencies may consider only the effects of these activities which it is required by law to carry out or approve. This does not limit the kinds of comments a responsible agency may make, but it does preclude them from denying a project because it will cause adverse effects on some area outside their jurisdiction.

Where a project is approved and will include substantial adverse environmental consequences identified in the final EIR, the lead agency must adopt a statement of overriding considerations justifying its approval of the project. This statement must be a finding supported by the record that the alternatives and/or mitigation measures specified in the final EIR are infeasible because of specific social, economic or other reasons, or that they are within the responsibility and jurisdiction of another agency. Thus, while CEQA requires that major consideration be given to preventing environmental damage, it recognizes that public agencies have obligations to balance other public objectives, including economic and social, in determining whether and how a project should be approved.

In most cases, the responsible agency will review, comment and certify the environmental document proposed by the lead agency. However, if this responsible agency finds the original document inadequate, it can challenge its validity in court. If the project has changed substantially after the initial report was prepared, or if new information unknown at the time of EIR preparation is discovered or if circumstances have substantially changed, a supplemental report could be prepared. Otherwise information designed to clarify, correct or amplify data already submitted may only be requested.

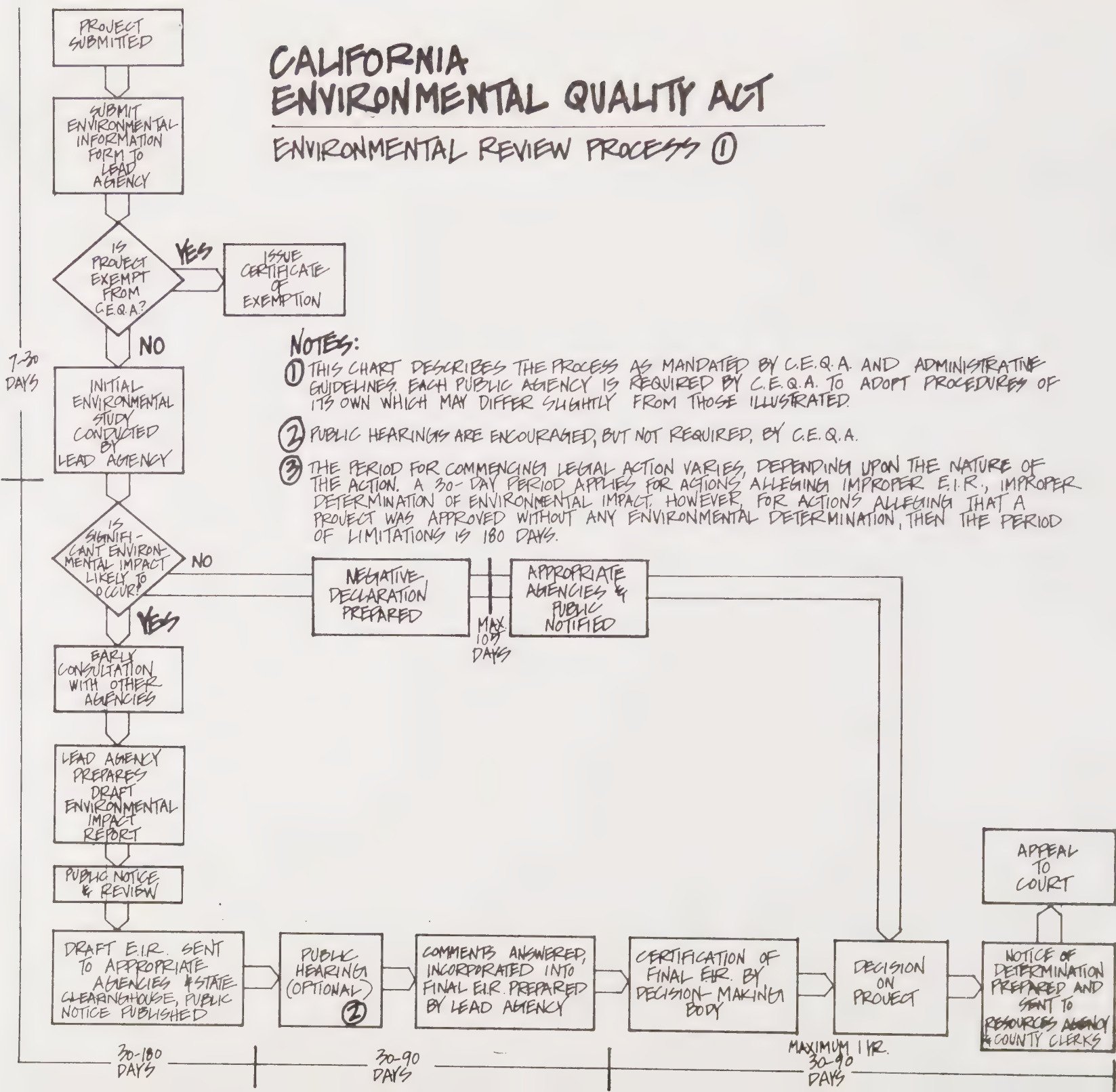
Both State and local agencies must establish time limits not to exceed one year for completing and certifying an EIR. Negative declarations must be prepared within 105 days. These limits apply when the agency is the lead agency on a project and provisions are made for reasonable extension of these deadlines when necessary.

Whenever both an EIR and a Federal EIS must be prepared for a project, the EIS should be used for the EIR provided it complies with the requirements and guidelines of CEQA. The lead agency should consult with the Federal lead agency to assist in the preparation of a single environmental document. If this combined document will take longer to prepare, the lead agency may waive the required time limits.

Many decisions within the environmental review process are subject to judicial review. One of the unique features of CEQA is that it permits individual citizens to sue to enforce its provisions. Specifically, CEQA provides for review of four types of actions by public agencies: 1) failure to determine environmental effect of a proposed project; 2) improper preparation of environmental impact reports; 3) improper application of one of CEQA's exemptions, and 4) any other action alleging non-compliance with the law. There are certain time deadlines for filing action on environmental decisions made by public agencies. If an action is filed challenging an EIR or the environmental review process, the responsible agency can continue with their decision-making process, assume the EIR will comply and issue a conditional permit decision. However, if approved the permit will not be issued until this court action is cleared.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

ENVIRONMENTAL REVIEW PROCESS ①



National Environmental Policy Act

The National Environmental Policy Act (NEPA) signed into law in 1970 declared a national policy to encourage productive and enjoyable harmony between man and the environment. To insure that environmental quality is given consideration in the Federal decision making process, NEPA requires each Federal agency to evaluate and prepare an Environmental Impact Statement before approving any major action that may significantly affect the quality of the environment.

NEPA requirements are similar to CEQA in that the Federal agency that issues the permit, license or funds a project (or its designee) will conduct an environmental evaluation. If this initial assessment determines the project may potentially have a significant impact on the environment an Environmental Impact Statement (EIS) will be prepared by that Federal agency or its designee. If no potential significant effect is determined, a negative declaration will be issued. Some kind of environmental document must be prepared and certified before the Federal agency can make any decision on a license, permit or funding.

Environmental Impact Statement (EIS)

If the agency determines, as a result of the initial environmental assessment that the proposed project is likely to have a significant impact on the environment it prepares a draft Environmental Impact Statement.

The Environmental Impact Statement is a detailed statement describing the potential environmental impact of a proposed action. Such statements must include the following:

1. A detailed description of the proposed action including information and technical data adequate to permit a careful assessment of environmental impact.
2. Discussion of the probable impact on the environment, including any impact on ecological systems and any direct or indirect consequences that may result from the action.
3. Any adverse environmental effects that cannot be avoided.
4. Alternatives to the proposed action that might avoid some or all of the adverse environmental effects, including analysis of costs and environmental impacts of these alternatives.
5. An assessment of the cumulative, long-term effects of the proposed action including its relationship to short-term use of the environment versus the environment's long-term productivity.

6. Any irreversible or irretrievable commitment of resources that might result from the action or which would curtail beneficial use of the environment.

Since the California Environmental Quality Act also requires the preparation of an environmental document, provisions are available within CEQA for the preparation of a joint statement. The arrangements for the preparation of a single Environmental Impact Statement must be worked out between the respective State and Federal agencies. However, since the California Environmental Quality Act and NEPA differ on their requirements, the provisions of both laws must be satisfied.

After the Federal agency completes the draft Environmental Impact Statement it is circulated to other Federal and State agencies for comments. In addition copies of the draft are sent to the Council on Environmental Quality which publish notice of its Availability for Public Comment in the Federal Register.

Depending upon the comments received, the Federal agency will decide whether to hold a public hearing on the Environmental Impact Statement. Such hearings are encouraged but not required under NEPA.

After the comment period lapses and a hearing is held, the agency prepares a Final Environmental Impact Statement which includes a discussion of problems and objectives raised by other Federal and State agencies as well as private organizations and individuals during the draft statement review process.

Final Agency Action

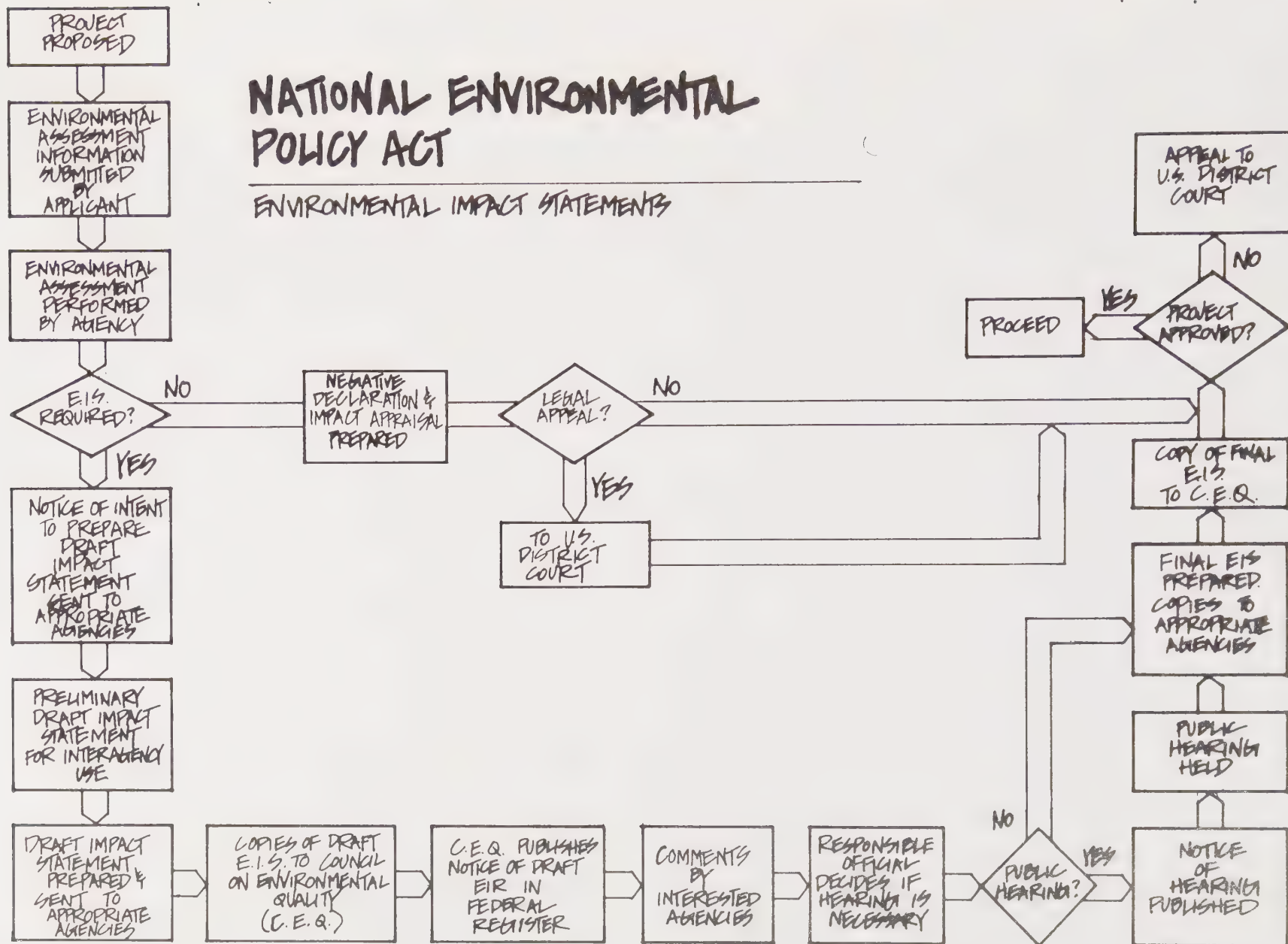
The Final Environmental Impact Statement is reviewed and approved by the decision-making person in the Federal agency. Copies of the Final Statement are then sent to the Council on Environmental Quality as well as other appropriate agencies. Final action on a project may subsequently be taken.

Each Federal agency has adopted regulations (published in the Federal Register) setting forth its own requirements and criteria for the preparation and review of environmental impact reports. Thus, it is advisable to consult the regulation of the appropriate agency for any particular project.

Decisions made by Federal agencies under NEPA have been and continue to be challenged in the courts. Legal precedent has been a significant factor in the interpretation of NEPA. The legal remedy stands as a safeguard against improper administration of NEPA.

NATIONAL ENVIRONMENTAL POLICY ACT

ENVIRONMENTAL IMPACT STATEMENTS



THE BAY AREA AIR POLLUTION CONTROL DISTRICT
939 Ellis Street San Francisco, California 94109

(415) 771-6000

GENERAL INFORMATION

The BAAPCD was created by the California Legislature in 1955--the first regional agency dealing with air pollution to be formed in California. The jurisdiction of the BAAPCD is largely limited to policing non-vehicular sources of air pollution within the Bay Area, primarily industry and burning. Recently it was authorized to cite smoking vehicles, although the main automotive control program is administered through the State. Aircraft are subject to control through the Federal government.

The District is governed by an eighteen-member Board of Directors. Alameda and Santa Clara counties have four representatives each, Contra Costa, San Francisco, and San Mateo have two representatives each and Marin, Napa, Solano and Sonoma have one representative each on the Board. The number of representatives from the counties is based on the population of the county. Members are selected from each county's Board of Supervisors and City Selection Committee. The Board has the power to develop and enforce regulations for the control of air pollution within the District. The Board appoints a 20-member Advisory Council from community interest groups to advise it and assist it in developing regulations.

The District's five-member Hearing Board is an independent body which hears pleas for variances from District regulations and accusations against violating sources. Temporary variances are sometimes issued for hardship cases, since it is impossible to adopt regulations that are flexible and farsighted enough to accomplish fair and equitable control in all cases.

Acting as a judicial body, the Hearing Board rules on accusations against sources which have not corrected violating conditions in a reasonable length of time. If, after hearing both sides, it supports the District's argument, an order for abatement is issued against the defendant, which will then be enforced through Superior Court. The Hearing Board was purposely made independent of the Board of Directors to insure its objectivity in hearing cases brought before it.

JURISDICTION

The District encompasses all of seven counties: Alameda, Contra Costa, Marin, San Francisco, San Mateo, Santa Clara, and Napa, and portions of two others--southwestern Solano and southern Sonoma. The total land area within its jurisdiction is 5600 square miles with 4.7 million people and 3 million cars.

LEGAL AUTHORITY

California Health and Safety Code Division 26
Federal Clean Air Act Amendments of 1970
California Mulford-Carnel Act of 1969

PERMITS ISSUED

Permit to construct any facility or building or erect, alter or replace any article, machine, equipment which may cause the emission of air contaminants.

Permit to operate any facility, building or equipment which may cause the emission of air contaminants.

ENVIRONMENTAL INFORMATION

BAAPCD reviews and comments on environmental documents prepared by other agencies and utilizes the environmental information in their decision making process. No additional environmental documents need to be prepared.

CRITERIA FOR PERMIT DECISION

The Air Pollution Control Officer will base a decision to approve or deny a permit after considering all available information about existing air quality, the emission of air contaminants from existing source operations, the emission of air contaminants from proposed new source operations and on projected levels of air quality. Approval or denial depends on whether the proposed new source would create a significant quantity of air contaminant which would interfere with the attainment or maintenance of any air quality standards adopted by California Air Resources Agency or the Environmental Protection Agency or would violate an emission standard adopted by the BAAPCD.

FEES

A fee is charged for every emission source. For construction permits the fee is \$40 to modify an existing source and \$100 for a new source. A \$20 charge is made for a permit to operate, for the annual renewal of a permit, for a duplicate copy of the permit and for a change in ownership.

TIMING

A permit to construct generally takes 60 days except for major direct sources which take 120 days from application submission to a final decision.

A permit to operate takes up to four weeks.

FURTHER INFORMATION

See the publication, Air Pollution and the San Francisco Bay Area by the BAAPCD.

Contact the Chief of Permit Services.

THE BAAPCD PERMIT PROCESS

A graph illustrating the permit process is attached.

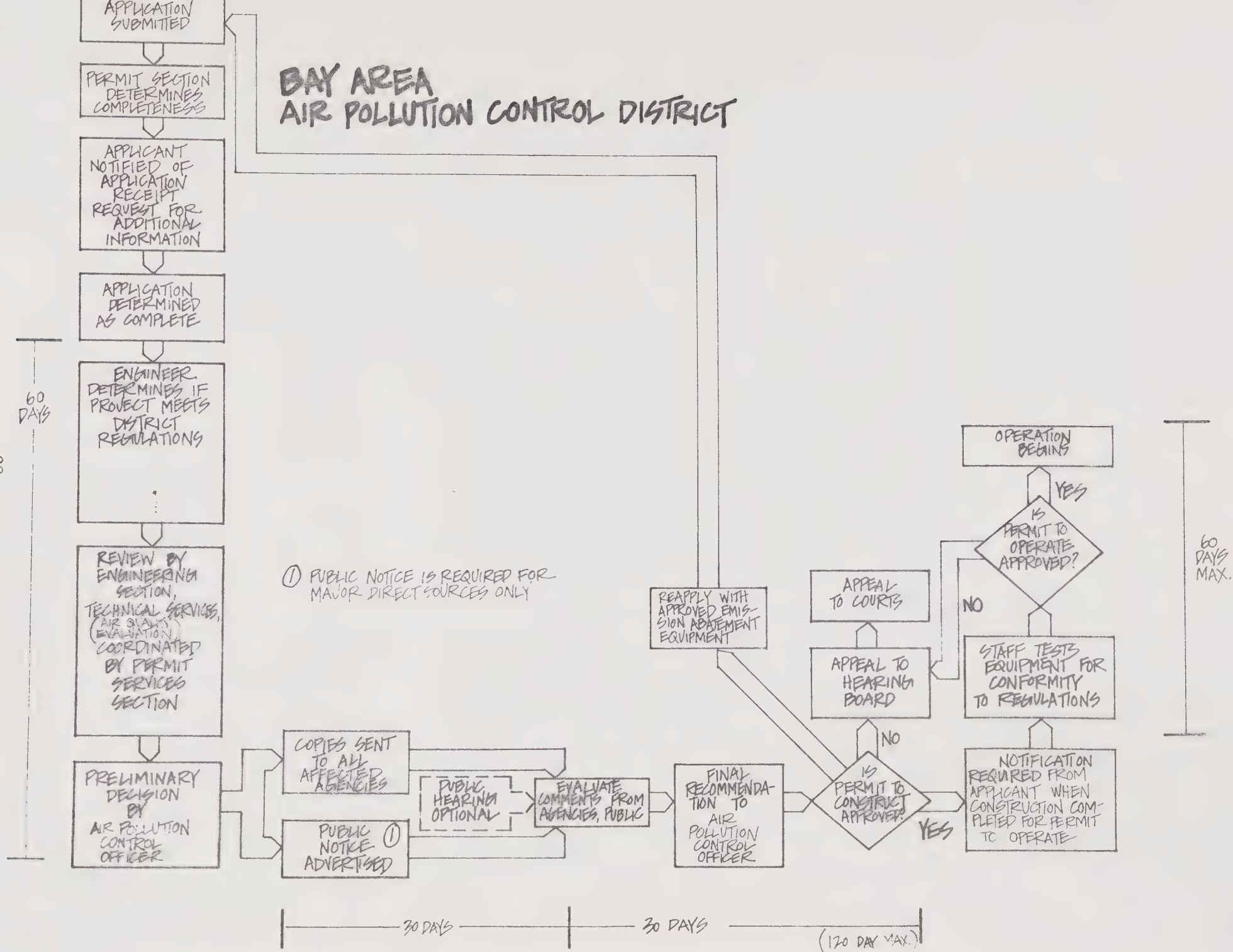
An application for a permit to construct is reviewed by the permit section for accuracy and completeness. The applicant is notified that the application has been received and may be asked to submit additional information. After the application is complete, an engineer evaluates the project to determine if it meets district regulations. The review of the application by the engineering and technical service sections will be coordinated by the permit section. These analyses are submitted to the Air Pollution Control Officer who then makes a preliminary decision.

For major direct sources only, copies of the preliminary decision are sent to the applicant and affected agencies. A public notice is published and distributed for major projects only. Depending on the nature of the application, a public hearing may or may not be held. Comments from all agencies and the public are then considered in the final recommendation to the Air Pollution Control Officer.

If the APCO approves the permit, it is issued with or without conditions and construction can begin. When construction has been completed, the applicant notifies BAAPCD that a permit to operate is requested. BAAPCD staff then check the equipment to insure that it conforms to regulations. The permit to operate will be approved if it meets district regulations.

If the permit to construct is denied by the APCO, the decision may be appealed to the hearing board and to the courts. However, the applicant is encouraged to reapply with improved emission abatement equipment.

BAY AREA AIR POLLUTION CONTROL DISTRICT



SAN FRANCISCO
BAY CONSERVATION AND DEVELOPMENT COMMISSION

30 Van Ness Avenue Room 2011 San Francisco, California 94102

(415) 557-3686

GENERAL INFORMATION

The 27-member Commission was created by the California Legislature in 1965 in response to citizen concern for the future of San Francisco Bay. The Commission originally was given a four-year life span and assigned the task of preparing a plan for the Bay by 1969. In 1969, the Commission submitted the completed San Francisco Bay Plan to the Governor and the Legislature who subsequently decided that the Commission should become a permanent agency to carry out the Plan. The McAteer-Petris Act (the Commission's enabling legislation) was accordingly amended in 1969, giving the Commission permanent status.

JURISDICTION

In accordance with the law and the Bay Plan, BCDC regulates all filling, changes in existing uses, and dredging in San Francisco Bay which includes San Pablo and Suisun Bays, all sloughs that are part of the Bay system and certain creeks and tributaries. BCDC also has control over a 100-foot wide shoreline band measuring inland from the Bay, and certain diked off areas including salt ponds and managed wetlands. (For further description, see Government Code Section 66610 paragraph 2).

LEGAL AUTHORITY

McAteer-Petris Act (Government Code Section 66600 et seq)
California Administrative Code Title 14 Division 5
California Constitution Article 15

PERMITS ISSUED

Under the McAteer-Petris Act projects involving placement of fill, dredging, or a substantial change in use of the shoreline, require a BCDC permit. Permits are issued for those projects that are consistent with the policies of the San Francisco Bay Plan and the McAteer-Petris Act. Most permits generally contain conditions to eliminate potential adverse effects to the Bay, to mitigate unavoidable adverse effects, to provide public access to and along the Bay's shoreline, and to assure that other Commission policies are implemented.

There are two types of BCDC permits, administrative ones for small projects that do not have significant effects on San Francisco Bay, and major permits for large projects.

Administrative Permits. If the Executive Director determines that the work proposed is a "minor repair or improvement" under the Commission's regulations, an administrative permit may be issued, with Commission concurrence, without a public hearing within a short period of time.

Major Permits. If the work proposed is more extensive, then the project is handled as a major permit and a public hearing before the Commission is required.

ENVIRONMENTAL INFORMATION

CEQA requires that the environmental impact of proposed developments be assessed before any discretionary lease, permit or other entitlement to use can be granted. Generally, the local agencies will inform the applicant whether the project is (a) categorically exempt from CEQA, (b) requires a negative declaration, or (c) requires an Environmental Impact Report (EIR). It is possible that BCDC will act as the "lead" agency in determining what provisions of CEQA are applicable to a project and a negative declaration or an environmental impact report could be required. BCDC usually relies on the environmental determination of the local agency when the local agency complies with State guidelines and circulates the document through the State Clearinghouse.

CRITERIA FOR PERMIT DECISIONS

Commission Decisions Regarding Fill Projects. The law and the Bay Plan, which explain the standards for granting or denying permit applications are both based on extensive studies of the Bay and of the effects of Bay fill. Criteria for decisions are also based on the requirements of CEQA, and the Federal Coastal Management Program.

Basis for Granting or Denying Permits for Shoreline Projects. Within the 100-foot shoreline band, there are two standards the Commission applies in determining whether to grant or deny permits:

1. Outside certain areas designated for high-priority, water-oriented uses, any use may be permitted (i.e., housing, commercial buildings, industries, recreation, etc.) if the proposed project provides the maximum feasible public access to the Bay consistent with the project. Since little of the Bay's shoreline is accessible to the public, projects proposed on the shoreline can be denied if reasonable public access is not provided.

2. Certain other shoreline areas--those parts of the shoreline suitable for port use, water-related industry, and water-related recreation--have been designated for those high-priority uses in the Commission's Bay Plan. Within those shoreline areas, the Commission's permit decisions are based both upon public access and use. In shoreline areas reserved for a particular use, the Commission will grant permits only for those uses specified in the Bay Plan.

FEES

Fees for Administrative Permit Applications: A fee of \$100 is charged for filing and processing each application for a permit for a minor repair or improvement. When the Executive Director determines that the fee is unreasonable in relation to the cost of the project, the fee may be reduced to ten percent (10% of the cost of the project), but in no event to less than \$25.

Fees for All Other Permit Applications. Projects that qualify as major projects range from \$600 to \$2,500 depending on the total value of the project.

Environmental Documents. If the Commission is the "lead" agency for a project requiring a permit, a basic fee of three hundred dollars (\$300) will be charged for analyzing, processing, and mailing the environmental documents required by CEQA. In addition to the basic fee, the applicant will be charged for the preparation of environmental documents and the services of any specialists and consultants that may be required. Since each project may have different requirements, the applicant should consult with the BCDC staff at an early stage in order to determine the fees that will be charged.

TIMING

By law, the Commission must act on an application within 90 days after a completed application is filed. If original environmental documents must be drafted, an application will not be filed until this process has been completed.

FURTHER INFORMATION

The San Francisco Bay Plan. Copies of the Commission's San Francisco Bay Plan are available for reference at the Commission office. Contact the permit section of BCDC regarding specific permit questions.

THE BCDC PERMIT PROCESS

The attached graph illustrates how a permit is processed through BCDC.

When an application is submitted to the agency it is first reviewed for accuracy and completeness. If additional information is needed, the applicant is requested to provide it. If a substantial part of the application is complete the agency may begin to process the application without all the information. However the application will not be officially "filed" and the time deadline does not begin until all information is complete.

The next step in the process is to determine if the project is major or would qualify as a minor or administrative permit. If the project is classified minor, the review process is less detailed and takes less time.

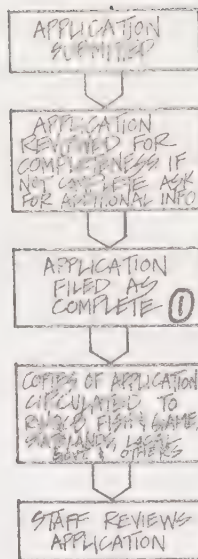
A major project goes through a more extensive review. First copies of the application are sent by BCDC to all relevant and interested agencies such as the Department of Fish and Game, Army Corps of Engineers and others to alert them of the project. They review and comment. BCDC staff review the project and determine if an environmental document has been prepared, and if it should be reviewed by the Engineering Criteria Review Board and the Design Review Board. BCDC will be the lead agency on environmental evaluations if no other agency has assumed that responsibility (see section on CEQA). If an environmental document has been prepared, those steps of environmental assessment through final comments and final EIR would not be taken.

A project would be reviewed by the Engineering Criteria Review Board only if it involved filling certain areas of the bay. The Design Review Board reviews a project for public access, appearance and design.

Once these three reviews are completed if necessary for a development project, a public hearing notice is published in newspapers and sent to any interested persons or agencies at least 15 days before the public hearing date. At the public hearing the applicant presents information on the project and answers any questions by the public or BCDC commission. After the public hearing a staff recommendation is prepared and the commission makes a decision on the project usually at its next meeting.

If the decision is approved, the permit is issued. If the permit is not approved the applicant can resubmit the request after 90 days or appeal to the courts.

BAY CONSERVATION & DEVELOPMENT COMMISSION



① IF THE SUBSTANTIAL PART OF THE APPLICATION IS COMPLETE, REVIEW MAY OFTEN BEGIN! OFFICIAL "FILING" THEN WOULD NOT OCCUR UNTIL ALL INFORMATION IS RECEIVED BY THE AGENCY IF AN EIR NEEDS TO BE PREPARED, FILING DATE WOULD OCCUR AFTER DRAFT IS COMPLETED.

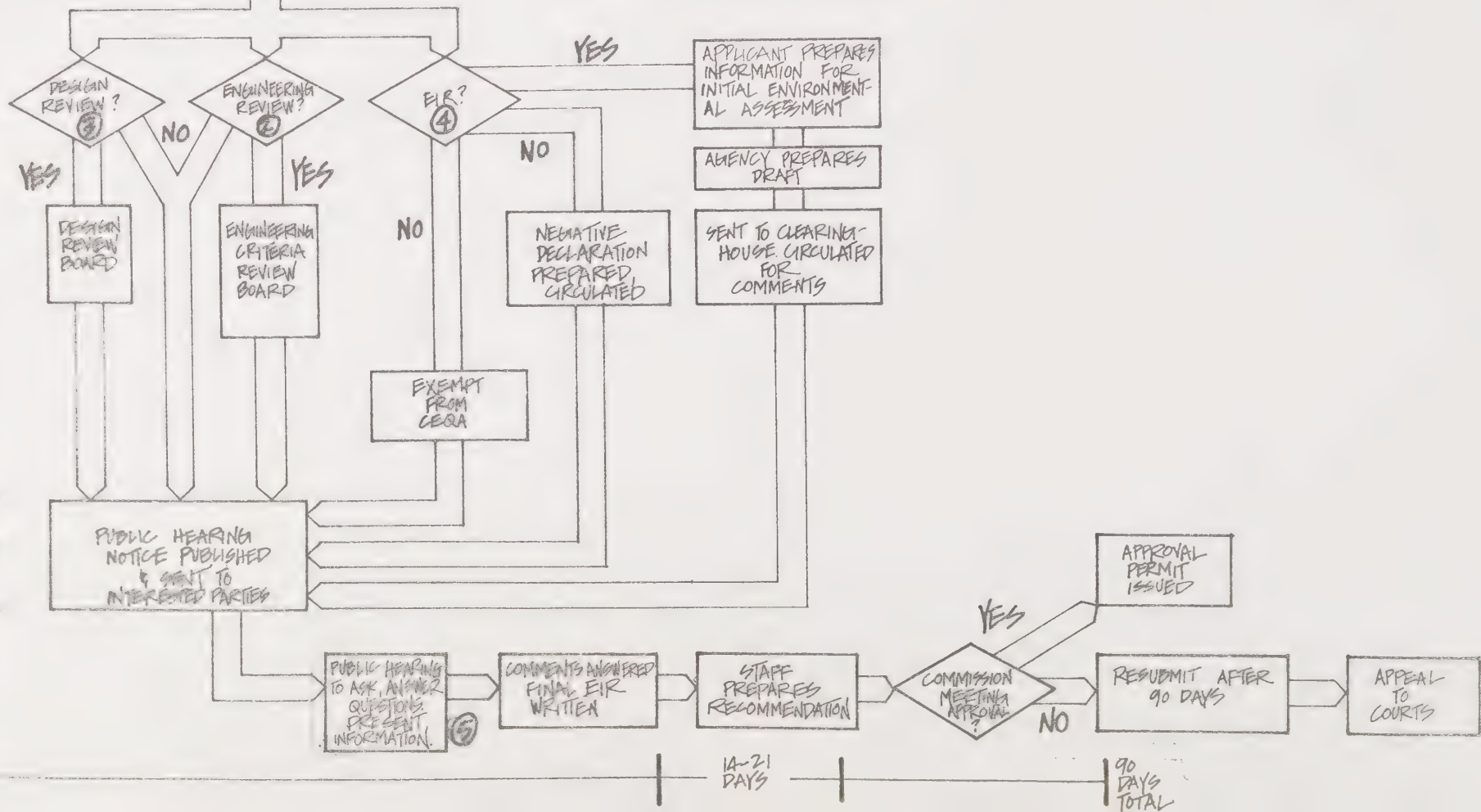
② REVIEWS ALL PROJECTS ONLY.

③ REVIEWS PUBLIC ACCESS, APPEARANCE & DESIGN

④ ONLY IF THEY ARE THE LEAD AGENCY AND NO OTHER ENVIRONMENTAL DOCUMENT HAS BEEN PREPARED.

⑤ PUBLIC COMMENTS ON THE DRAFT EIR WILL BE TAKEN AT THIS TIME.

NOTE: THIS IS THE PROCESS THAT OCCURS FOR MOST PERMITS. HOWEVER THE ORDER OF REVIEW BY THE REVIEW BOARDS & THE ORDER OF THE PUBLIC HEARING MAY OCCASIONALLY VARY. THIS WOULD OCCUR WHEN A PROJECT MUST BE MOVED QUICKLY THROUGH THE PROCESS OR AN APPLICATION MISSED A MEETING OF ONE OF THE REVIEW BOARDS.



CALIFORNIA COASTAL COMMISSION

STATE OFFICE
1540 Market Street
San Francisco,
California 94102

(415) 557-1001

NORTH CENTRAL COAST
(Sonoma, Marin, S.F.)
1050 Northgate Drive
San Rafael,
California 94903

(415) 472-4321

CENTRAL COAST
(San Mateo, Santa
Cruz, Monterey)
701 Ocean Street
Santa Cruz,
California 95060
(408) 426-7390

GENERAL INFORMATION

The California Coastal Act of 1976 (based on Proposition 20, The Coastal Initiative of 1972,) specifies goals for protecting, enhancing, and restoring coastal environmental quality and resources, giving priority to coastal dependent developments and maximizing public access.

The Act creates a 15-member California Coastal Commission and six regional commissions. The regional commissions consist of 12-16 members half of whom are public members (appointed by the Governor, Senate Rules Committee and Speaker) and half of whom are locally elected officials. In addition this act requires that Coastal management plans be created by the regional commissions subject to approval by the State Commission and that local governments prepare a local coastal program in conformance to those plans. The immediate responsibility for regulating all development projects on the coast rests with the Regional Commission. This responsibility will eventually be delegated to the local government authority when a local coastal program is certified by the Commission.

The State Commission is responsible for reviewing and certifying the coastal plans and for hearing appeals from Regional Commission decisions.

JURISDICTION

The Coastal Act defines "coastal zone" as the area extending three miles seaward and inland generally 1,000 yds. In significant coastal estuarine, habitat and recreational areas, it extends inland a maximum of 5 miles and in developed urban areas it generally extends inland less than 1,000 yards. The area of jurisdiction of BCDC and certain other areas are excluded.

LEGAL AUTHORITY

California Coastal Act of 1976
Public Resources Code Division 20 Section 30000
California Administrative Code Title 14 Division 5.5

PERMITS ISSUED

A Coastal Development permit is required for any proposed change in land formation or building structure within the Coastal Commission jurisdiction. No permits are required for certain improvements to existing single family residences, certain maintenance dredging, certain repair or maintenance activities, on developments in categories which the Commission determines (in a 2/3 vote) would have no potential for any significant adverse effect on coastal resources or on public access, certain developed urban areas, certain utility connections, and for persons with vested rights.

The executive officer may grant an administrative permit for improvements to an existing structure not exceeding \$25,000 or new development not exceeding \$20,000. Any two commissioners can ask that an administrative project be considered at a public hearing.

ENVIRONMENTAL INFORMATION

The staff of the Coastal Commission reviews and comments on environmental documents prepared by other agencies. The application for a coastal development permit asks specific environmental questions and asks for copies of existing environmental documents. Additional environmental documentation is not usually required.

CRITERIA FOR PERMIT DECISIONS

The Coastal Act provides in Public Resources Code Section 30604(a) that a coastal development permit shall be issued if the Regional Commission finds that the proposed development is in conformity with the provisions of Chapter 3 of the Act. This chapter outlines policies regarding the public's right to access to the sea, the protection of areas for recreational use, the maintenance and enhancement of land and marine resources, and the location of new development in close proximity to existing development.

FEES

Filing fees for a coastal development permit ranges from \$25 for an administrative permit (minor project) to \$250 for commercial or industrial development under 10,000 square feet, and greater for larger projects.

TIMING

The law provides that once a completed permit application has been filed by the Regional Commission, the public is to be given full notice of the application and the public hearing must be set not less than 21 days nor more than 42 days of the filing date. Once the public hearing is completed the Commission has 21 days to make a decision. The decision of the Regional Commission is final unless an appeal is filed with the State Commission within 10 days. The total processing time ranges from 42 days to 63 days.

FURTHER INFORMATION

For permit information contact a coastal planner at the North Central Coast Commission or a staff analyst from the Central Coast Commission.

THE COASTAL COMMISSION PERMIT PROCESS

The attached graph illustrates the processing of a permit application through this agency.

An application for a coastal development permit is reviewed for accuracy and completeness and "filed" if complete. The applicant is asked to provide additional information if necessary. The project is then evaluated as to whether it is an administrative or minor project, an emergency project or a major project. The first two kinds of projects require less extensive review and take less time to process. Most industrial projects would be classified as "major".

A major project is reviewed by the Coastal Commission staff and a summary is prepared. The summary is distributed to coastal commissioners, the applicant and other interested persons and agencies. Meanwhile a public hearing date has been selected and a public notice has been published and distributed. A public hearing is then held to answer any questions or raise any concerns about the project.

After the hearing the Executive Officer prepares a final report and recommends final action. The Regional Commission may make a decision immediately upon conclusion of the public testimony or may put the vote over to a subsequent meeting if further investigation is required. The permit can be approved by the Regional Commission with or without modifications to the project. If a permit is denied, the applicant can resubmit the application to the Regional Commission after six months or file an appeal to the State Commission.

If an appeal is filed with the State Commission, State staff will review the appeal and recommend whether the Commission should hear it or not. The Commission has considerable discretion in deciding whether an appeal will be heard. If the State Commission votes to hear the appeal, it then follows generally the same procedure as the Regional Commission followed for permit consideration.

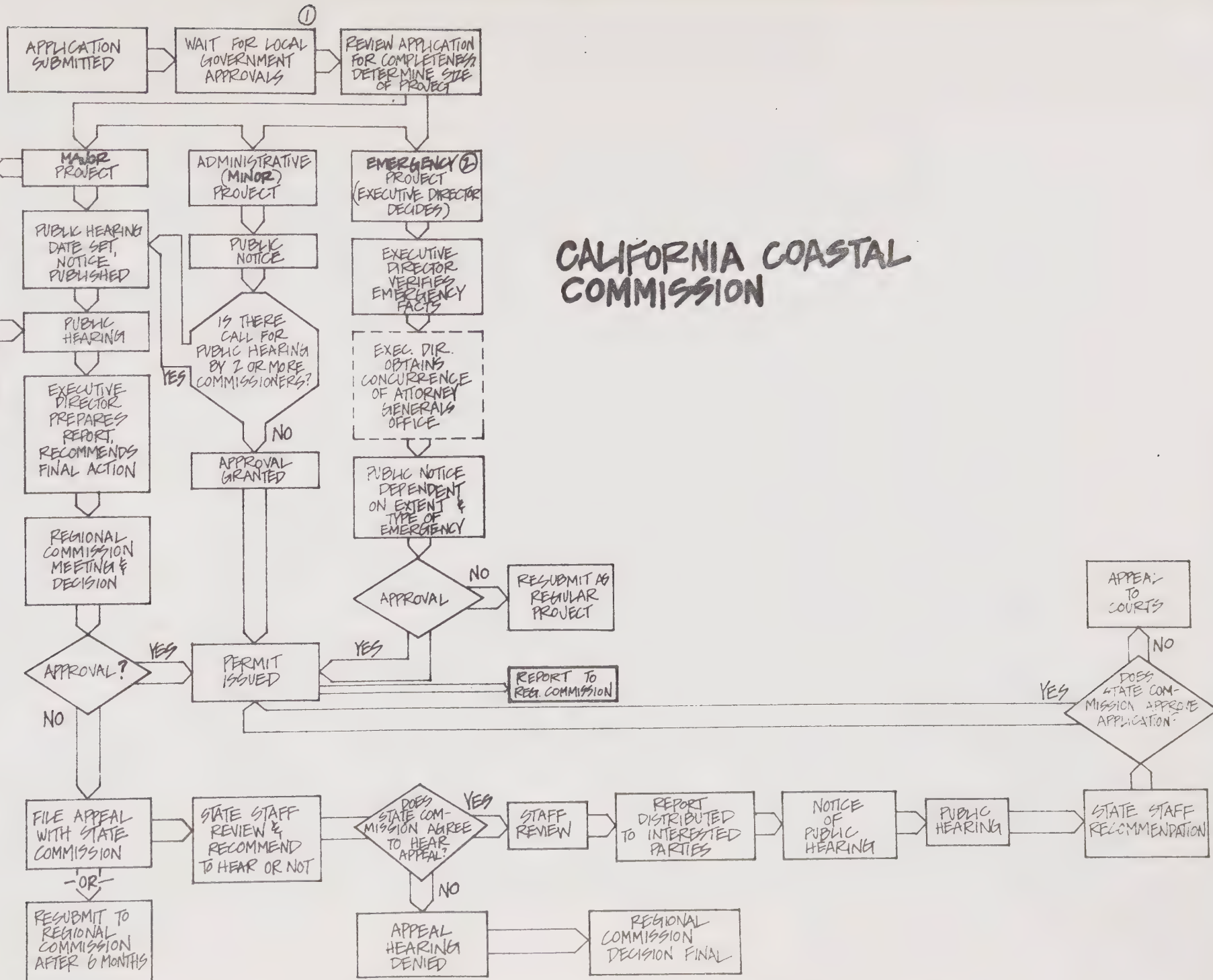
5 DAYS

21 DAYS

-31-

42-63 DAYS

CALIFORNIA COASTAL COMMISSION



- NOTES: ① PERMIT PROCESSING USUALLY MOVES AHEAD ALTHOUGH DECISIONS ARE NOT MADE UNTIL LOCAL APPROVALS ARE GIVEN.
 ② NO APPEALS TO REGIONAL OR STATE COMMISSIONER FROM EXECUTIVE DIRECTOR DECISION

DEPARTMENT OF FISH AND GAME
REGIONAL OFFICE
VETERANS HOME P.O. BOX 47 YOUNTVILLE, CALIFORNIA 94599
(707) 944-2443

GENERAL INFORMATION

The Department of Fish and Game is responsible for the protection, maintenance, enhancement and management of the fish and game resources of the State. With few exceptions, all fish and wildlife are the property of the state and either protected or utilized for the benefit of the people of the State under laws and rules and regulations administered by the Department of Fish and Game. In carrying out these responsibilities, the Department is mandated to become directly involved in the management of habitat features of land and water resources upon which fish and wildlife depend for survival.

The Constitution of the State has provided that the people have the right to fish upon and from the public lands and waters of the State. The legislature has enacted specific laws for the protection of the fish and game resources and for the regulation of their harvest (or has delegated such authority to the Fish and Game Commission) so as to manage the resources for the public benefit. The Governor appoints five members to the Fish and Game Commission and they serve for six year terms.

JURISDICTION

The Department of Fish and Game has the authority to review, comment and recommend action on all projects involving water quality or land management that may have an affect on the fish and game resources of the State.

The Department has specific jurisdiction over projects that propose to alter or remove materials from lakes or streambeds.

LEGAL AUTHORITY

Fish and Game Code
California Administrative Code Section 720 Title 14
State Constitution Article 1, Section 25

AGREEMENTS ISSUED

The Department of Fish and Game issues no industrial development permits. However, it reviews and comments on those project applications submitted to Army Corps of Engineers, BCDC, Coastal Commission, RWQCB and others.

The Fish and Game Code does require that a public or private applicant preparing a project which would divert or obstruct streams or would use or alter materials in the bed of a stream or lake submit the plan to the Department of Fish and Game to secure a streambed alteration agreement.

The Fish and Game Commission does issue permits for the harvestry of oysters, kelp and other kinds of fish and wildlife.

Apply for the agreement during the year the project will be built.

ENVIRONMENTAL INFORMATION

Environmental information or an environmental document may be submitted to the Department of Fish and Game during consideration of the streambed alteration agreement. The Department will review, comment and utilize the project's environmental document prepared by another agency in the alteration agreement process.

CRITERIA FOR AGREEMENT DECISION

When an existing fish or game resource may be substantially adversely affected by a proposed streambed alteration project, the department will propose reasonable modifications in the proposed construction as to allow for the protection and continuance of the fish and game resource. If the applicant does not agree to project modification, procedures have been designed to arbitrate the areas of disagreement between the Department and the applicant. (See Department of Fish and Game streambed alteration process chart.)

TIMING

The Department of Fish and Game must submit streambed alteration agreement recommendations to the applicant within 30 days of receipt of the plans. This deadline may be extended by mutual consent of the applicant and the Department.

FURTHER INFORMATION

Contact the Environment Services section regarding streambed alteration agreement questions.

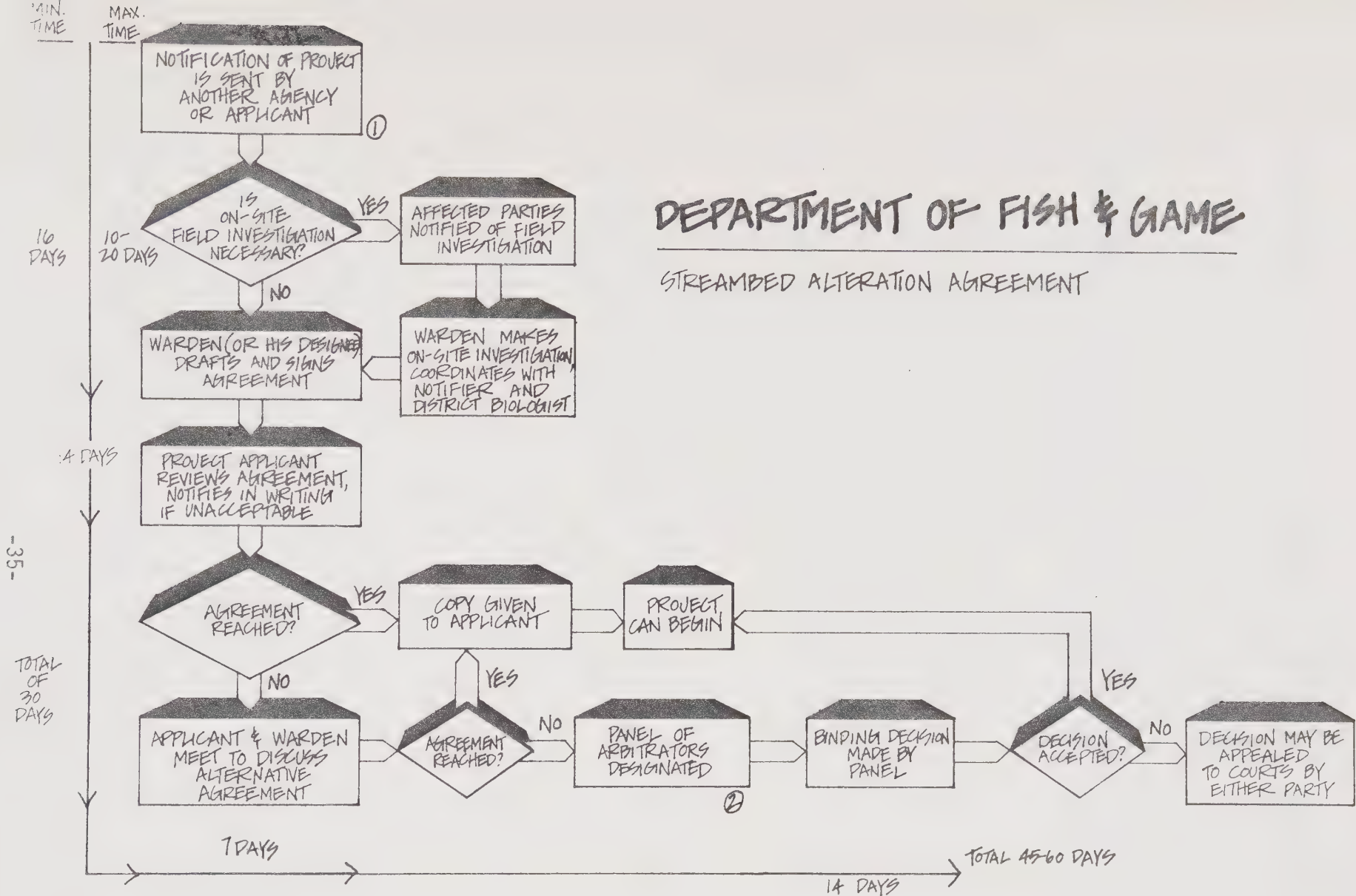
STREAMBED ALTERATION AGREEMENT PROCESS

Attached is a graph illustrating this agreement process.

The Department of Fish and Game usually hears about a project from a notice sent by another agency. The applicant is then notified that an agreement must be worked out. The applicant may request, or the Fish and Game staff may determine that a field investigation of the project site is necessary. If such a determination or request is made, interested agencies and affected parties such as adjacent property owners would be notified. The warden then coordinates his on-site investigation with the applicant and the district biologist. In most cases a field investigation is not necessary and the warden or his designee immediately drafts the agreement.

The applicant is given 14 days to review the agreement and notify the Department in writing if it is unacceptable. If the agreement is acceptable no further action need be taken.

When the applicant disagrees with the terms, a meeting is set up with the warden to discuss the problems. If still no agreement can be reached, an arbitration panel is designated to hear the issue. The arbitration panel consists of one representative designated by the department, one chosen by the applicant and one mutually agreed on by both. Within 14 days a binding decision is made by the panel. However this decision can be appealed to the courts by either party.



NOTES:

① DEPARTMENT OF FISH & GAME MUST ACT ON NOTICE WITHIN 30 DAYS OR PROJECT IS DEEMED APPROVED. TIME LIMIT MAY BE EXTENDED BY MUTUAL AGREEMENT.

② PANEL OF ARBITRATORS CONSISTS OF 1 REPRESENTATIVE FROM DEPARTMENT OF FISH & GAME, 1 REPRESENTATIVE CHOSEN BY APPLICANT, 1 REPRESENTATIVE CHOSEN BY BOTH FISH & GAME AND APPLICANT.

REGIONAL WATER QUALITY CONTROL BOARD
1111 JACKSON STREET OAKLAND, CALIFORNIA

(415) 464-1255

GENERAL INFORMATION

California's Porter-Cologne Act and related water code sections define the institutional arrangements, powers and responsibilities of the State Water Resources Control Board and the nine Regional Water Quality Control Boards.

The primary duty of the regional board is to protect the quality of the waters within the region for all beneficial uses. This duty is implemented by formulating and adopting water quality plans for specific ground or surface water basis and by prescribing and enforcing requirements on all domestic and industrial waste discharges.

The regional board, composed of nine members and appointed by the Governor meets on the third Tuesday of each month.

JURISDICTION

The regional board is responsible for monitoring all projects that may discharge into receiving or navigable waters of the U.S. or the State and for projects that may affect groundwater supplies within most of the nine Bay Area Counties.

LEGAL AUTHORITY

Federal Water Pollution Control Act Amendments of 1972
Public Law 92-500
Porter-Cologne Act

PERMITS ISSUED

- . NPDES Permits are adopted for all discharges to waters of the United States.
- . Waste discharge requirements are adopted for all discharges to land which may degrade surface or groundwaters.
- . State certification of conformance with water quality standards for projects requiring a Federal permit, i.e., Corps permits.
- . Certification of need for pollution control facilities if an applicant seeks:
 - California Pollution Control Financing Authority bonds for industries
 - Rapid amortization of pollution control facilities pursuant to the Tax Reform Act of 1976.

ENVIRONMENTAL INFORMATION

An environmental assessment of a project must be incorporated into the permit evaluation process. In many cases the environmental document prepared by the lead agency (see section on CEQA) will be used. If RWQCB is the lead agency, an initial study will be conducted and an EIR, Negative Declaration or exemption will be prepared.

REGIONAL BOARD DECISIONS

PL 92-500 requires that municipal wastewaters receive a minimum of secondary treatment and that industries achieve a level commensurate with "best management technology." In addition, higher levels of treatment may be required by the Regional Board depending on the beneficial uses to be protected at the proposed discharge location.

The Water Quality Control Plan for the San Francisco Bay Basin contains policies on which Regional Board decisions are based.

FEES

Filing fees are based on the type and the amount of waste discharge.

TIMING

NPDES permits on waste discharge requirements are usually issued within 90-180 days. A State discharge permit can be issued in less time.

FURTHER INFORMATION

Contact the certification unit.

THE RWQCB PERMIT PROCESS*

The following graph illustrates the permit process. After the applicant submits a report of waste discharge, staff reviews it for accuracy and completeness. For a NPDES permit a copy of the report is then sent to the Federal Environmental Protection Agency for review and comment. EPA then comments on the report or allows the commenting period to expire without comment.

The Regional staff prepares tentative waste discharge requirements. Copies are sent by RWQCB to EPA and all other affected agencies for review and comment. The applicant is required to post a notice of tentative order.

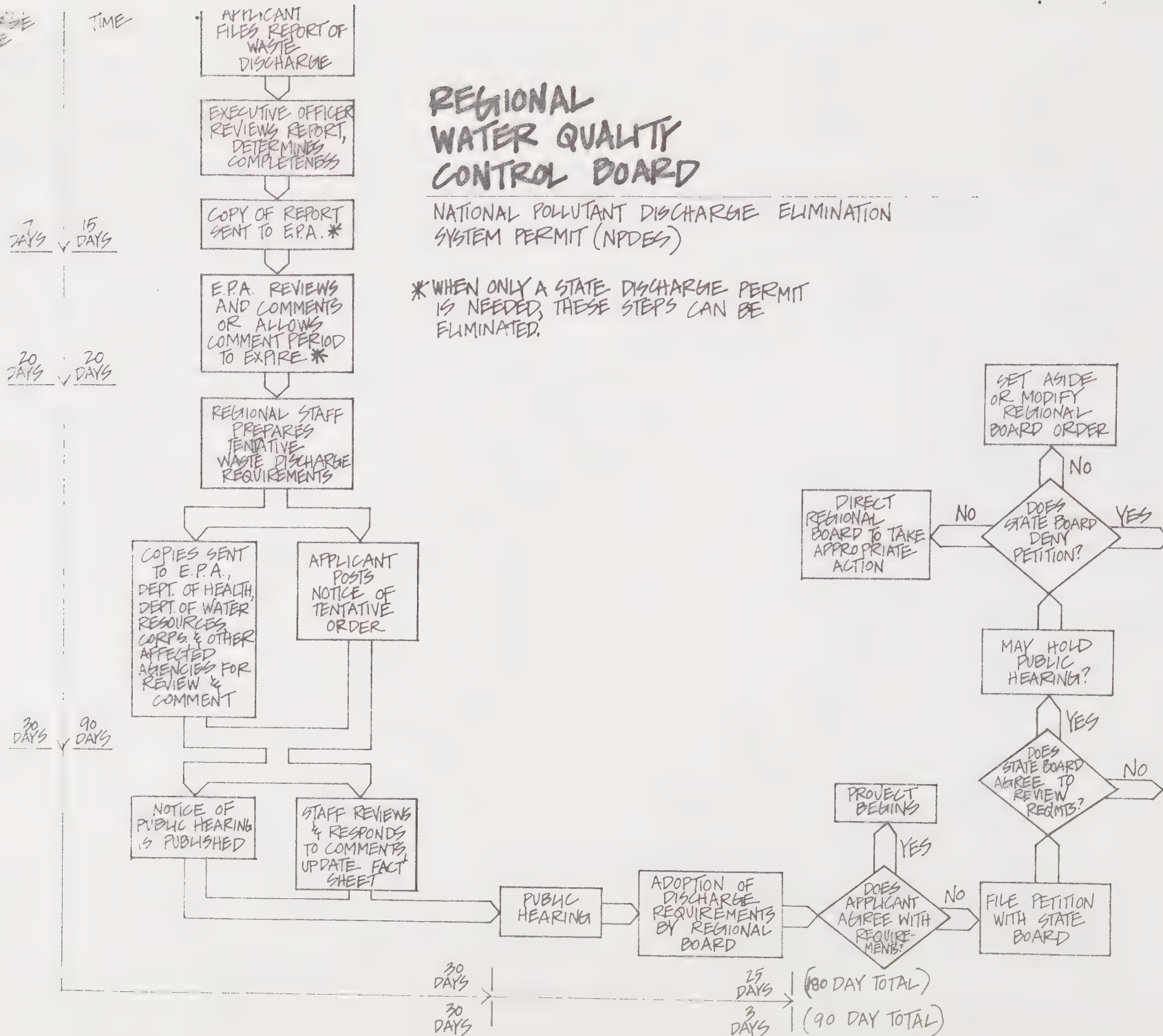
A public hearing date is set and hearing notice is published. Staff reviews the comments from agencies and updates the fact sheet on the project. The public hearing is then held and comments are solicited from the public.

The Regional Board adopts the waste discharge requirements. If the applicant disagrees with the requirements, he/she can file a petition with the State Water Resources Control Board. They will then review and hear the appeal.

* Regional and State Board staff are reviewing the permit process in light of the recent legislative changes contained in AB 884. Any changes will be reflected when the directory is next updated.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT (NPDES)

* WHEN ONLY A STATE DISCHARGE PERMIT IS NEEDED, THESE STEPS CAN BE ELIMINATED.



STATE LANDS COMMISSION
1807 13th STREET SACRAMENTO, CALIFORNIA 95814

(916) 445-1012

GENERAL INFORMATION

The State Lands Commission was established by the Legislature in 1938, as successor to the Office of the Surveyor General, one of the original constitutional officials. The Commission was assigned the responsibility for management and supervision of all statutory lands which the State has received from the Federal Government.

The Commission is composed of two state-wide elected constitutional officers, the Lieutenant Governor and the State Controller, and the State Director of Finance who is appointed by the Governor. Meetings are held once each month and are always open to the public.

The State Lands Division is the civil service staff of the Commission, serving under the supervision of an Executive Officer who is appointed by the Commission.

Division offices are located in Sacramento, Long Beach, Huntington Beach, and Santa Barbara. The Executive Office is in Sacramento.

JURISDICTION

Jurisdiction of the Commission includes the beds of all naturally navigable waterways such as major rivers, streams and lakes; tide and submerged lands in the Pacific Ocean which extend from the mean lower low water line seaward to the three-mile limit; swamp and overflow lands; vacant school lands; and, granted lands.

Naturally, navigable waters historically have been public property held in trust for commerce, navigation and fishing uses. The Commission authorizes use of such lands consistent with trust purposes, and collects rents for that use.

The management of mineral resources under these naturally navigable waterways is also of concern to the Commission. Oil and gas, geothermal steam, manganese, trona, and sand and gravel deposits are all extracted under Commission lease terms.

School Lands. At one time, the State held title in trust to 5.5 million acres of school lands, granted by the United States to produce income for the State's common school system.

An investigation and classification program is now underway to identify and consolidate the remaining school land parcels for efficient management.

Granted Lands. Sometimes state-owned lands are turned over to local government agencies through legislative action. These agencies then manage the lands as trustee for the state and under the general supervision of the Commission. The Commission still retains the public rights for navigation, commerce, and fisheries--superseding all other rights.

LEGAL AUTHORITY

Public Resources Code et seq
California Administrative Code Title 2
California Constitution Article 15

PERMITS ISSUED

Private or Commercial use of the State's statutory land is possible only through a lease or a permit from the SLC. These leases or permits must conform to the trust purposes; preservation of the public right to commerce, navigation or fisheries on the public land.

1. Lease of state land for period of not less than 1 year and not more than 49 years (grazing and agriculture lease).
2. Use of state land (commercial, industrial, right of way, public agency, general permits).
3. Permit for prospecting minerals, oil, gas.
4. Permit for conducting geothermal survey.

ENVIRONMENTAL INFORMATION

The State Lands Commission would be the lead agency on a project if no local agency were issuing a permit, if no other state agency required a permit for the project or if SLC was the first agency to make a decision on a project. The Environmental assessment and initial study would determine if an EIR would need to be prepared. Compliance with the Significant Lands Act (PRC 6370) is also required for Commission approval.

If another agency was the lead agency on a project, SLC would act as a responsible agency and comment and utilize the environmental document prepared by that lead agency.

CRITERIA FOR PERMIT DECISIONS

Every project applying for a permit or lease would be evaluated as to its fulfillment of the public trust; the preservation of the public right to commerce, navigation and fisheries.

RENTS

In determining the rent to be charged for the use or lease of state land, the Land Agent ascertains the basis of rental pursuant to category use. Most public agency permits do not require rental payment. Other leases and permits have rentals determined either by appraisal or by a rate schedule according to the extent of use.

TIMING

For a lease or use permit where all information is provided promptly by the applicant and where there are no major significant environmental or other use issues, the entire process from application submission to final processing of the lease/permit can by law take no longer than 270 days. In most cases issuance of the lease/permit is accomplished in much less time.

FURTHER INFORMATION

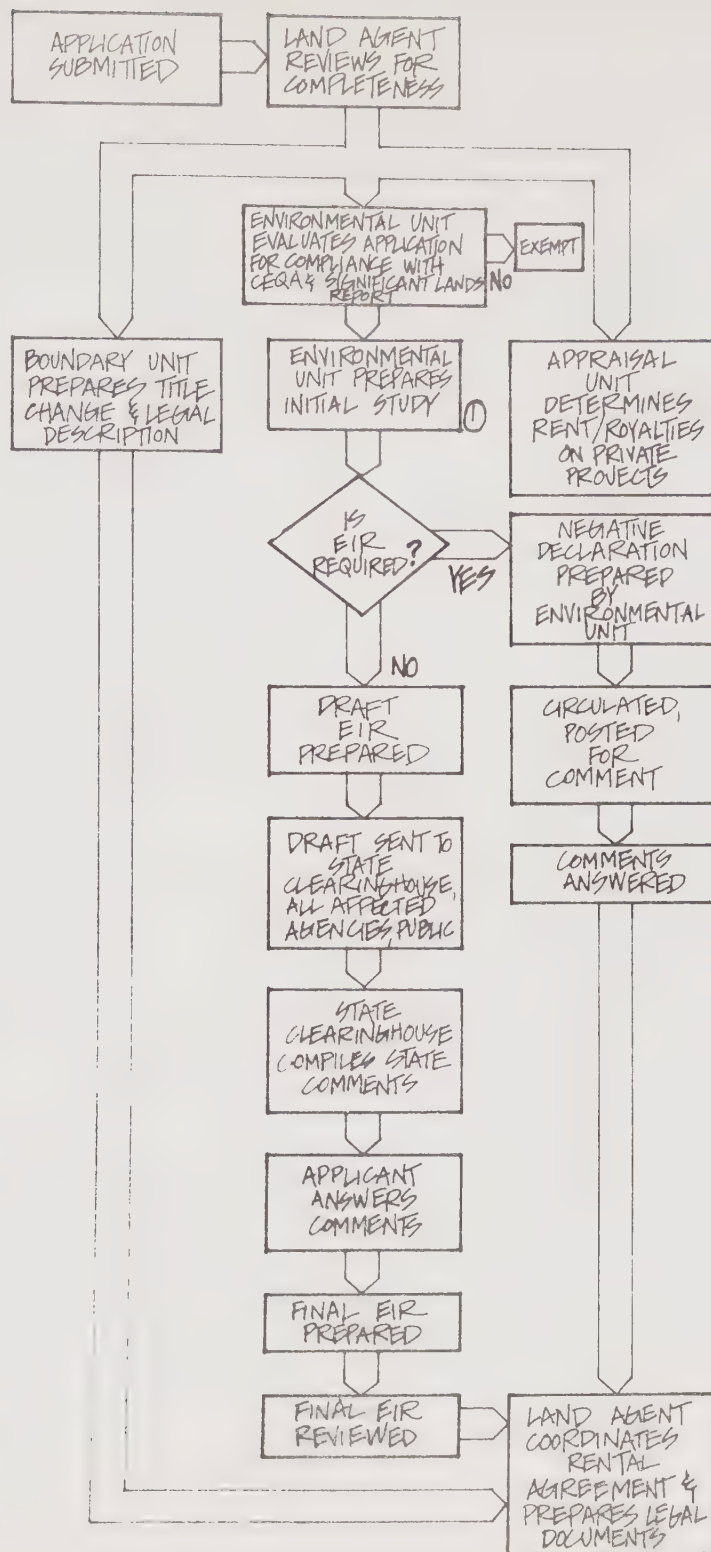
Contact a land agent at the SLC.

SLC PERMIT PROCESS

The permit process is graphically illustrated on the following page.

When an application for a permit or lease is submitted, the land agent reviews it for completeness. Additional information may be required from the applicant. The appraisals unit begins its determination of the rents or royalties to be paid on private projects. Simultaneously the boundary unit prepares a title check on ownership of the land and prepares a legal description. The environmental unit determines if SLC is the lead agency and supervises the environmental review process if necessary (see section on CEQA).

After the reviews are completed by the appraisal, boundary and environmental units, the lead agent coordinates the rental agreement and prepares the legal documents. A date is set for the commission's hearing and public notice is posted. A report on the application is prepared for the commission. If the commission approves the permit or lease final processing occurs. If the permit is denied, the decision can be appealed back to the commission.



STATE LANDS COMMISSION

- ① IF S.L.C. IS THE LEAD AGENCY. IF NOT, THE ENVIRONMENTAL DOCUMENT PREPARED BY THE LEAD AGENCY WILL BE USED
- ② ENVIRONMENTAL DOCUMENT CERTIFIED HERE

90 DAYS

60 DAYS

60 DAYS

20 DAYS

45 DAYS

15 DAYS

STATE WATER RESOURCES CONTROL BOARD
77 Cadillac Dr. SACRAMENTO, CALIFORNIA 95825

(916) 322-9118

GENERAL INFORMATION

The State Water Resources Control Board's Division of Water Rights and its predecessors have administered California's water rights laws since the early part of this century. The intent of these laws is to assure that water resources are put to beneficial use to the fullest extent of which they are capable while protecting vested rights, water quality, and the environment. In particular, the Water Code gives the State Board clear direction to consider the amount of water needed to protect all beneficial uses when determining the amount available for appropriation and to approve, when it is in the public interest, storage and subsequent release of water to protect or enhance the quality of other waters. Consideration of water quality and instream beneficial uses have in fact been deciding factors in many of the Board's decisions in recent years.

The right to use surface water is generally one of two types:

- o Riparian - The owner of land adjacent to a natural source of supply may put that water to reasonable beneficial use on that land, with no permit required, unless a storage reservoir is required.
- o Appropriative - The right to use surface water on non-riparian land or to store water for later use may be acquired by following procedures outlined in the law, culminating in the licensing of the right by the State Board. Appropriations that have been exercised since before such procedures were first established in 1914 do not require a permit or license.

No permit is required to pump groundwater. However, in some areas groundwater rights have been determined by the courts and pumpage is limited to specified amounts.

If the industrial development is to be supplied by an existing utility, the necessary water right would be held by the utility.

The State Board is comprised of five members appointed by the Governor. It includes an attorney and three civil engineers all with expertise in either water rights, water supply or sanitary engineering, and one person with no special expertise.

JURISDICTION

All water, both surface and underground, is the property of the people of the State but the right to appropriate surface water for use is subject to the decision of SWRCB.

Jurisdiction - The right to appropriate percolating groundwater is subject to SWRCB decision only when:

- a. waste, unreasonable method of diversion, unreasonable use, or unreasonable method of use is involved or,
- b. the Board has been asked to participate in a full determination of rights in a groundwater basin either by court reference or statutory petition after authorizing legislation.

There is no statutory or administrative procedure for issuance of a permit to appropriate percolating groundwater.

LEGAL AUTHORITY

California Water Code
California Administration Code Title 23

PERMITS ISSUED

Permit to appropriate water.

After a permit is issued, if an inspection indicates that beneficial use of the water has been made in accordance with the law and the terms of the permit, a license may be issued. A license confirms and documents the use of water. The license has no time limits and continues as long as proper use of the water is made.

ENVIRONMENTAL INFORMATION

The SWRCB will review and analyse the application for possible environmental impacts as required by the California Environmental Quality Act. If an environmental document has been prepared for the project by another agency, and SWRCB has reviewed and commented, this document will be used. Otherwise, SWRCB will prepare an initial evaluation to determine what kind of environmental document must be prepared.

CRITERIA FOR BOARD DECISIONS

Decisions to approve or disapprove an application to appropriate water are based on the stated policy of the Water Code Division 1 Chapter 1 Section 100. It is the policy that the water of the State be put to beneficial use to the fullest extent capable. The right to such water is limited to the amount reasonably required for the proposed use. It is the stated policy that the highest use of water is for domestic purposes and that the next highest use is for irrigation. In addition, the application received first for consideration has higher priority than a later application for the same water. The decision making process takes into consideration the condition of the stream and the actual flow, along with the proposed use and the amount of water proposed for appropriation.

FEES

There is a minimum filing fee of \$10. Additional sums may be charged based on the size of the proposed appropriation.

TIMING

The SWRCB has an extensive backlog of applications to process. Recent legislation allows one year from acceptance of the application as complete to issuance of or refusal to issue a permit for unprotested applications.

FURTHER INFORMATION

See the SWRCB publication, How to File an Application to Appropriate Unappropriated Water in California. Contact a staff engineer in the applications section regarding permit questions.

WATER APPROPRIATION PERMIT PROCESS

The following chart illustrates this permit process.

An application for a water appropriation is reviewed for completeness and accuracy, and a determination is made whether a bonafide attempt to complete the application was made. The application is filed if the application is reasonably complete. After this evaluation is complete, a filing fee letter is sent, and the project information is verified for accuracy. A notice is then advertized and posted to alert interested parties of the project. During this notice period, comments and protests are received and reviewed.

If there is no protest the application moves to environmental evaluation. If there is a protest, the applicant responds to the concerns raised. A public hearing may or may not be scheduled. If all protesters and the applicant agree, a field hearing may be held. Ideally, after the concerns are addressed an agreement can be reached. A staff report will be prepared outlining the details of the field hearing.

At the present time, environmental evaluation occurs after this initial review process. An analysis of the environmental review process is presently underway. This may alter the present review and cause environmental analysis to occur earlier. If the SWRCB is the lead agency, environmental documents will be prepared (see section on CEQA). Otherwise, environmental documents completed by the lead agency, if reviewed and commented on by SWRCB, are utilized.

When the environmental analysis is complete, a final staff report is prepared and reviewed by the section needs, and in workshop sessions with the board members. The board then meets and makes a decision at a regular board meeting. A permit that is denied may be appealed back to the Board, and then to the courts.

For unprotested applications, the initial study is completed then a permit is finalized and signed by the Executive Director.

1 DAY
TO
3 MONTHS

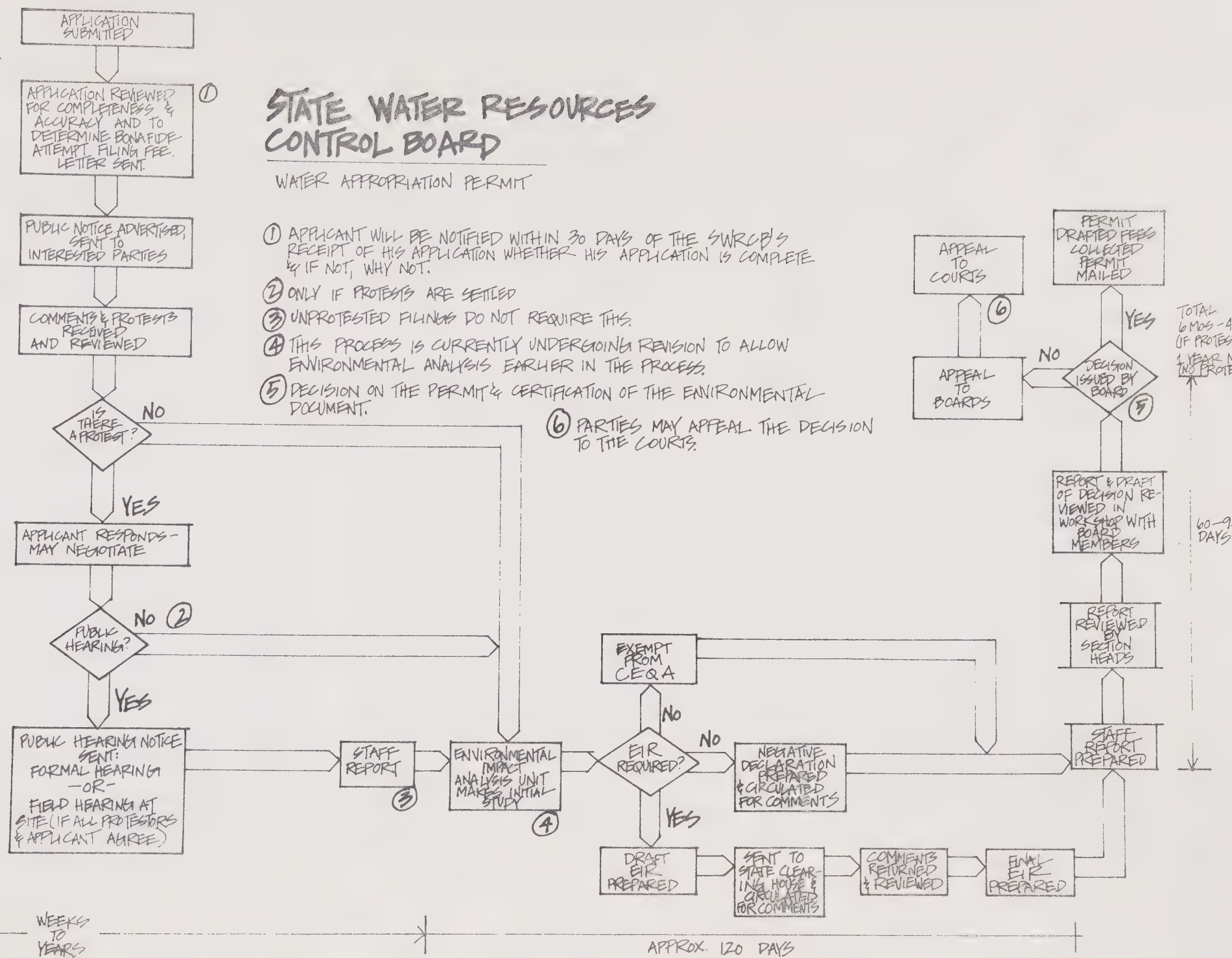
40-60
DAYS

-46-

STATE WATER RESOURCES CONTROL BOARD

WATER APPROPRIATION PERMIT

- ① APPLICANT WILL BE NOTIFIED WITHIN 30 DAYS OF THE SWRCB'S RECEIPT OF HIS APPLICATION WHETHER HIS APPLICATION IS COMPLETE & IF NOT, WHY NOT.
- ② ONLY IF PROTESTS ARE SETTLED
- ③ UNPROTESTED FILINGS DO NOT REQUIRE THIS.
- ④ THIS PROCESS IS CURRENTLY UNDERGOING A REVISION TO ALLOW ENVIRONMENTAL ANALYSIS EARLIER IN THE PROCESS.
- ⑤ DECISION ON THE PERMIT & CERTIFICATION OF THE ENVIRONMENTAL DOCUMENT.
- ⑥ PARTIES MAY APPEAL THE DECISION TO THE COURTS.



U.S. ARMY CORPS OF ENGINEERS, SF DISTRICT
211 MAIN STREET SAN FRANCISCO, CALIFORNIA 94105

(415) 556-3660

GENERAL INFORMATION

Under the laws of the United States, Congress has assigned to the U.S. Army Corps of Engineers certain non-military functions. These include the better-known traditional missions in navigation, flood control, hydropower production, water supply storage and recreation. Congress has also given the Corps of Engineers regulatory responsibility to protect our navigation channels and harbors against encroachments and more recently to restore and maintain water quality by regulating the discharge of dredged or fill material into coastal and inland waters and wetlands. This latter regulatory authority is to insure that the chemical/and biological integrity of waters of the United States is protected from the irresponsible and unregulated discharges of dredged or fill materials, or from any activity of structure that could permanently destroy or alter the character of these resources.

JURISDICTION

The Corps jurisdiction includes all waters of the United States and adjacent wetlands (which includes the traditional navigable waters of the U.S.).

LEGAL AUTHORITY

Federal Water Pollution Control Act of 1972 Section 404
Rivers and Harbors Act of 1899 Section 1, 9, 10, 11, 13, 14
Marine Protection, Research and Sanctuaries Act of 1972 Section 103

PERMITS ISSUED

Permits are issued authorizing structures and work in or affecting navigable waters of the United States, the discharge of dredged or fill material into waters of the U.S., and the transportation of dredged material for the purpose of dumping it into ocean waters.

Along with the discharge of material which has been dredged or excavated from any waters of the United States, the following fill discharges are regulated by this program: site developmental fills for recreational, industrial, commercial, residential, and other uses; causeways or road fills; dams and dikes; artificial islands; property protection and/or reclamation devices such as riprap, groins, seawalls, breakwaters and reventments; beach nourishment; levees; sanitary landfills; fill for the placement of structures such as sewage treatment facilities. In other words, any fill material used for the primary purpose of replacing an aquatic area with dry land or of changing the bottom elevation of a water body requires a Corps permit.

ENVIRONMENTAL INFORMATION

The applicant will be required to submit environmental information which could include an environmental assessment or environmental impact report prepared by a state or local agency. An environmental assessment of the application or preparation of an environmental impact statement is necessary for every project needing a federal permit, or financed by federal grants. (See section on NEPA.)

CRITERIA FOR PERMIT DECISIONS

In evaluating a permit application, the Corps of Engineers will thoroughly analyze the impacts of the proposed activity on the public interest. The benefits which may accrue from the proposal will be weighed against any foreseeable detriments, and a permit will be issued only when its issuance is found to be in the public interest.

FEES

A fee of \$100 will be charged when the planned or ultimate purpose of the project is commercial or industrial and is in support of operations that charge for production, distribution or sale of goods or services. A \$10 fee will be charged when work is non-commercial and provides personal benefits that have no connection with a commercial enterprise. No fees will be charged to Federal, State or local government agencies for a Corps permit.

TIMING

If there are no substantive objections to the proposed activity and the necessary state and local approvals are obtained, a permit can usually be issued within 120 days of a completed application. If the proposal significantly impacts on the quality of the human environment or becomes controversial, a public hearing might be necessary and/or an environmental impact statement must be prepared. The processing of the application could take 18 months or longer.

FURTHER INFORMATION

See the publications:

Applications for Department of the Army Permits for Activities
in Waterways,
Questions and Answers related to Section 404,
The Army Corps of Engineers and Environmental Conservation,
Regulatory Program of the Corps of Engineers, Federal Register,
19 July 1977.

Contact the Permit Division.

ARMY CORPS OF ENGINEER PERMIT PROCESS

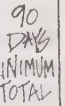
After an application for a Corps permit is submitted, it is reviewed for completeness and additional information is requested. A determination is made whether an Environmental Impact Statement will be required.

If it is required the federal environmental review process is followed (see section on NEPA). A public notice is issued notifying the public and other agencies of the project. The Corps staff reviews the application under the public interest and incorporates comments from the notified public and agencies into their evaluation. Objections or concerns are then sent to the applicant for rebuttal and/or resolution.

An informal meeting with the applicant or a full public hearing may be held if the project is controversial or if there are many unanswered questions. Once the meetings and/or hearings are over, staff prepares a report to the District Engineer for permit approval or denial. However if major controversy occurs the recommendations may be reviewed at higher levels. Conflicts over a project by two Federal agencies are resolved at the cabinet level. Permits that are denied can be appealed to the Federal Courts.

The attached graph illustrates this process.

TOTAL
AVERAGE
TIME
2 YEA



① ALL STATE & LOCAL APPROVALS MUST BE GIVEN BEFORE FINAL PROCESSING

② MOST PROJECTS ARE DECIDED AT THE DISTRICT LEVEL. HOWEVER, DEPENDING ON THE CONTROVERSIAL NATURE OF THE PROJECT, THE DECISION MAY BE MADE AT A HIGHER LEVEL.

APPENDIX

MAJOR LOCAL, REGIONAL, STATE AND FEDERAL PERMITS

<u>AGENCY</u>	<u>PERMIT</u>	<u>KIND OF PROJECT</u>
(LOCAL)		
City/County	General Plan Amendment Rezoning	For any proposed project not within present general plan or zoning regulation.
Local Agency Formation Commission	Annexation, detachment, formation	For any proposed project not within present city or special district jurisdiction from which service is requested.
City/County	Environmental Assessment	California Environmental Quality Act (CEQA) requires private projects to be evaluated as to whether or not they may have a significant effect on the environment.
City/County	Subdivision Process Conditional Use Permit Variance Process	Depends on the complexity of the project and the requirements of the local agency.
(REGIONAL)		
Bay Area Air Pollution Control District (BAAPCD)	Permit to Construct Permit to Operate	Every project which will emit air contaminants.
Bay Conservation and Development Commission (BCDC)	Development Permit	Every project which would fill or extract materials from the bay or would make substantial changes in the use of water, land or structures within BCDC's jurisdiction.

<u>MAJOR PERMITS NEEDED</u>		
<u>AGENCY</u>	<u>PERMIT</u>	<u>KIND OF PROJECT</u>
(REGIONAL)		
California Coastal Commission	Coastal Development permit	All projects lying between the seaward limit of the State's jurisdiction and 1000 yards from the mean high tide line.
Regional Water Quality Control Board (RWQCB)	National Pollution Discharge Elimination System Permit (NPDES)	Projects involving federal grants or permits that would discharge onto receiving or navigable waters.
	State Discharge Permit	Projects that would discharge into receiving or navigable water or that may affect ground water.
	Water Certification	Projects involving water quality control functions such as water quality laboratories, oil spill clean up agents, dredging.
(STATE)		
Dept. of Fish & Game	Streambed Allocation Agreement	Any project which will divert, obstruct, or change the natural flow or bed of any river, stream or lake or will use material from the streambeds.
Land Commission (SLC)	Permit for prospecting minerals, oil, gas	Any project that proposes to use state lands and/or extract minerals, oil, gas.
	Permit or lease for commercial, industrial, right of way or public agency use.	
	Grazing or Agricultural lease	
	General Permit	

MAJOR PERMITS NEEDED

AGENCY

PERMIT

KIND OF PROJECT

(REGIONAL)

Water Resources
Control Board
(SWRCB)

Permit to appropriate water

Any project that
proposes to use water
from a stream, river
or lake.

(FEDERAL)

Army Corps of
Engineers

Permit

For construction in
or under navigable
waters within the
Corp's jurisdiction.

Federal Agency

Environmental Impact
Statement

National Environmental
Policy Act requires
every project involving
a federal permit or
federal grant to de-
termine if that project
might have a signifi-
cant effect on the
environment.

MAJOR PERMIT PROCESSING TIMES

<u>AGENCY</u>	<u>PERMIT</u>	<u>AVERAGE TIME</u>
City/County	General Plan Amendment/Rezone	120 days
LAFCO	Annexation	30-300 days
City/County	Environmental Impact Report	90-180 days
City/County	Subdivision review, Special Use Permits, Variances	60-260 days
BAAPCD	Permit to Construct	60-120 days
	Permit to Operate	30-60 days
BCDC	Development Permit	90 days
CCC	Coastal Development Permit	60-90 days
RWQCB	National Pollution Discharge Elimination System Permit NPDES	90-180 days
	State Discharge Permit	70-160 days
	Water Certification	30-45 days
Dept. of F&G	Streambed Alteration Agreement	30 days
SLC	Lease or use of State land	270 days
SWRCB	Permit to Appropriate Water	6 mos-1 yr. for unprotected application
Corps	Construction Permit	120 days-2 yrs.

OTHER LOCAL AND REGIONAL PERMITS

<u>AGENCY</u>	<u>KIND OF ACTION</u>
City/County	Building Permit Grading Permit Electrical, Mechanical, Plumbing Permit Inspection Process Fire Code Clearance Environmental Health Clearance Certificate of Occupancy Process Business License
City/Special District	Water Service Permit Sewer Service Permit
Flood Control District	Encroachment Permit Ground water Protection Permit
Port District	Development Permit
Association of Bay Area Governments (ABAG) Hotel Claremont Berkeley, California 415/841-9730	Comment, if a project has regional significance

OTHER STATE AGENCIES AND PERMITS

<u>AGENCY</u>	<u>KIND OF ACTION</u>
<u>Air Resources Board</u> 1709 11th Street Sacramento, California 916/322-2990	Permit to modify autos to test air pollution devices. Permit for solid waste dump burning.
<u>Alcoholic Beverage Control</u> <u>Department of</u> 100 Van Ness Avenue San Francisco, California 415/557-1680 1111 Jackson Street, Rm. 4040 Oakland, California.	Permit to import, export, warehouse, whole-sale, on-site off-site, manufacture or broker liquor.
<u>Architecture & Construction</u> <u>Department of</u> 1550 - 5th Street Sacramento, California 95814 916/445-2163	Approval of earthquake safety measures for schools and hospitals. Certification of compliance of provisions for physically handicapped persons in buildings receiving state funds.
<u>Conservation, Dept. of</u> 1415 - 9th Street Sacramento, California 916/445-7228	Permit to drill, abandon, rework, deepen or redrill oil, gas, geothermal wells. Permit to harvest timber, operate, convert timberlands. Permit for disposal of wood wastes.
<u>Consumer Affairs</u> <u>Dept. of</u> Bureau of Home Furnishings 3401 La Grande Blvd. Sacramento, California	Permit to manufacture or wholesale furniture.
Board of Pharmacy 2817 O Street Sacramento, California	Permit for pharmaceutical businesses.
<u>Energy & Resources</u> <u>Development Commission</u> 1111 Howe Avenue Sacramento, California 916/322-4541	Certification of nuclear, geothermal, fossil fuel power plants.

OTHER STATE AGENCIES AND PERMITS - (Continued)

AGENCY

KIND OF ACTION

Fire Marshal

30 Van Ness Avenue
San Francisco, California
415/557-3467

Approval of construction materials for
fire safety.
Primary jurisdiction on state lands,
secondary on private property.

Fish & Game, Dept. of

Regional Office
Veterans Home, P.O. Box 47
Yountville, California
707/944-2443

Permit for suction dredging.
Permit for harvesting kelp, oysters.
Lease of kelp beds.
Comment on timber harvest plans.
Comment on Army Corps of Engineer Permits.
Comment on Water Discharge Requirements.
Comment on Bay Conserv. & Develop.
Comm. Permits.
Comment on Coastal Zone Conservation Permits.
Comment on City and County Permits.
Comment on Water Appropriation Permits.
Comment on Lease of State water bottoms for
cultivation of marine life.

Food & Agriculture, Dept. of

Bureau of Market Enforcement
2095 Jerold Avenue, Rm. 219
San Francisco, California
415/557-2107

License of cannery freezer or drying facility.
License for cattle slaughterers.
Permit for market milk dairy.
License for milk plant product.
License for pest control.
License for pet food collection, slaughtering,
processing.
License for poultry plant.
License for produce dealers.
License for public cattle sale yard.

Health, Dept. of

Radiologic Health Section
744 P Street
Sacramento, California
916/445-0931

Permit to construct or alter medical facilities.
License to use radioactive materials.
Registration of radioactive source.

Industrial Relations, Dept. of

1111 Jackson Street
Oakland, California
415/464-0660
455 Golden Gate Avenue
San Francisco, California
415/557-0680

Permit to construct or demolish buildings
3 stories or 36 feet in height.
Permit to excavate deeper than 5 feet.
Permit to operate an elevator.
Permit to operate a pressure tank.

OTHER STATE AGENCIES AND PERMITS - (Continued)

<u>AGENCY</u>	<u>KIND OF ACTION</u>
<u>Motor Vehicle, Dept. of</u> 1377 Fell Street San Francisco, California 5300 Claremont Avenue Oakland, California 415/464-0935	Permit to dismantle, distribute, transport or manufacture motor vehicles.
<u>Parks and Recreation, Dept. of</u> 1416 - 9th Street Sacramento, California 95814 916/445-2358	Encroachment permits for public roads, utility lines, gas, water, oil lines, small craft moorings, private property unapproachable by other means.
<u>Public Utilities Commission</u> 350 McAllister Street San Francisco, California 415/557-1571	Certification of public convenience. Certification of power plants.
<u>Real Estate, Dept. of</u> 714 P Street Sacramento, California 916/322-2505	Approval of subdivided land before it can be sold.
<u>Solid Waste Management Board</u> 1907 - 11th Street Sacramento, California 95814 916/322-3330	Approval of all solid waste management facilities.
<u>State Reclamation Board</u> 1416 9th Street Sacramento, California 916/445-9454	Permit to construct, improve, alter, repair buildings or construct near Central Valley rivers and floodways. Encroachment permit.
<u>Transportation, Dept. of</u> 1120 N Street Sacramento, California 916/445-4616	Encroachment Permit. Permit for outdoor sign advertising. Permit for public road connection. Lease/sale of lands. Lease of air space.
<u>Water Resources, Dept. of</u> 1416 - 9th Street Sacramento, California 916/445-9248	Encroachment permit. Permit to construct, alter, maintain or remove dams.

OTHER FEDERAL AGENCIES AND PERMITS

AGENCY

KIND OF ACTION

Agriculture, Dept. of

630 Sansome Street
San Francisco, California
415/556-6464
620 Central Avenue
Alameda, California
415/273-7788

Permit for the sale or transport of meat,
poultry, perishable commodities.

Bureau of Alcohol, Tobacco,
& Firearms

525 Market Street
San Francisco, California
415/556-7474
1515 Clay Street
Oakland, California
415/273-7773

Permit for sale of alcohol, tobacco,
firearms, and ammunition, destructive
devices, and the sale or use of
explosives.

Bureau of Land Management

63 Natoma
Folsom, California
916/985-4474

Permit for any private use, encroachment,
right of way or special use of lands
controlled by BLM.

Bureau of Reclamation

2800 Cottage Way
Sacramento, California
916/484-4571

Permit for any private use, encroachment,
right of way or special use of lands
controlled by BR.

Coast Guard

630 Sansome Street
San Francisco, California
415/556-5500

Permit for bridges, drawbridge operations,
regattas and special marine events. Con-
sent to cross navigable water, bay and
salt pond fills, dredging for bridge pier
construction.

Federal Aviation Administration

P.O. Box 2397
Oakland, California
415/569-8879 or 692-2441
831 Mitten Road
Burlingame, California
415/876-2722

Permit for aircraft repair, flight school,
air taxi's.

OTHER FEDERAL AGENCIES AND PERMITS - (Continued)

<u>AGENCY</u>	<u>KIND OF ACTION</u>
<u>Federal Communications Commission</u>	
555 Battery Street San Francisco, California 415/556-7700	Permit to broadcast, safety and special radio.
<u>Federal Power Commission</u>	
555 Battery Street San Francisco, California 415/556-3581	License for dams. Approval for electric power generation and transmission. License - permit for electric goods. Permit for sale and transportation of natural gas.
<u>Food & Drug Administration</u>	
30 United Nations Plaza San Francisco, California	Permit for food, medical and drug establishments.
<u>Fish and Wildlife</u>	
2800 Cottage Way Sacramento, California 916/484-4551	Comment on projects concerning fish and wildlife. Permits for right of way, special use.
<u>Housing & Urban Development</u>	
450 Golden Gate Avenue San Francisco, California 415/556-5900	Certification and approval for home financing. Registration of interstate land sales.
<u>National Park Service</u>	
450 Golden Gate Avenue San Francisco, California 415/556-2170	Permit for any private use, encroachment, right of way special use of lands controlled by NPS.
<u>National Marine Fisheries</u>	
525 Market Street San Francisco, California 415/556-8636	Comment on projects involving fish & wildlife. Permits for right of way, special use.
<u>Nuclear Regulatory Commission</u>	
1990 N. California Blvd. Walnut Creek, California 415/486-3141	Approval of storage & transport of nuclear materials. License of nuclear power plant construction. License of nuclear power plant operation. License for the handling & disposal of nuclear wastes.

ACRONYMS

ABAG	ASSOCIATION OF BAY AREA GOVERNMENTS
APCO	AIR POLLUTION CONTROL OFFICER
BAAPCD	BAY AREA AIR POLLUTION CONTROL DISTRICT
BCDC	BAY CONSERVATION AND DEVELOPMENT COMMISSION
CEO	COUNCIL ON ENVIRONMENTAL QUALITY
CEQA	CALIFORNIA ENVIRONMENTAL QUALITY ACT
CORPS	US ARMY CORPS OF ENGINEERS
CCC	CALIFORNIA COASTAL COMMISSION
DEIR	DRAFT ENVIRONMENTAL IMPACT REPORT
EIR	ENVIRONMENTAL IMPACT REPORT
EIS	ENVIRONMENTAL IMPACT STATEMENT
EPA	ENVIRONMENTAL PROTECTION AGENCY (U.S.)
F & G	FISH AND GAME, DEPARTMENT OF
ISTF	INDUSTRIAL SITING TASK FORCE
NEPA	NATIONAL ENVIRONMENTAL POLICY ACT
NPDES	NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM
OPR	OFFICE OF PLANNING AND RESEARCH (GOVERNOR'S)
RWQCB	REGIONAL WATER QUALITY CONTROL BOARD
SLC	STATE LANDS COMMISSION
SWRCB	STATE WATER RESOURCES CONTROL BOARD

OTHER RESOURCES

Laws Relating to Conservation and Planning 1974 ed with 1975 sup.
State of California Department of General Services
Documents Section, P.O. Box 1015, North Highland, California

Land and the Environment, Planning in California Today
Sedway/Cooke for the Planning and Conservation Foundation
1975 Wm. Kaufmann, Inc., Publisher

Doing Business in California A Guide for Establishing a Business
Commission for Economic Development State of California
1400 Tenth Street, Room 109, Sacramento, California 95814
(916) 445-1025

U.C. BERKELEY LIBRARIES



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